

The Militia

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Introduction

The citizen soldier is a concept as old as, and certainly predating, recorded history. If we examine Plato's thought we find that the first city of the *Republic* was occupied before the emergence of the warrior class. The second of Plato's three hypothetical cities came emerged precisely because a warrior class had emerged from among the citizenry to dominate and control it. Good government was impossible as long as the warriors ruled.

Since Plato's time many political theorists have concluded that the best way to insure that there will be open and honest government is to guarantee the right of the people to keep and bear arms as an unorganized militia. The idea that the people be armed weighed heavily in the minds of the English Puritans and radical Whigs who were writing substantial political philosophy in the seventeenth and eighteenth centuries. They returned to the major premise of antiquity: that only freemen may be armed and that the mark of a freeman was his right to keep and bear arms. While there were some assumptions that only an armed citizen could resist the proverbial "intruder in the night" and that a citizen might use arms for recreation and hunting, there was, constantly, the clear commitment that the state had made that the best and ultimate defense and protection of the state rested in the hands of the citizen-soldiers trained at arms.

In medieval law there was a three fold obligation shared by all freemen. They must repair and maintain public roads and bridges and the like; they must serve as an ancillary police force; and they must be prepared to bear arms in defense of the state as a militia. Both the posse and the militia requirements were based on the need for privately owned

arms. Medieval law in these areas developed slowly, but was always based in common law and practice. Each man was required to keep in his home the arms of his socio-economic class and have these in order ready to use in case of emergency. Regular practice with one's arms was a general requirement. At least one English king attempted to discourage participation in any form of recreation except practice with arms, primarily with the long bow.

There were three levels of military obligation generally accepted in medieval states. The standing army was populated with trained, professional soldiers. Some of the citizenry was trained to at least a minimal degree and comprised a select militia. The untrained masses of able-bodied freemen comprised a general militia. The principle of *levee en masse*, recognized under international law, grew out of the unenrolled, mass militia of the middle ages.

The first significant contribution to the literature of the militia was made by Niccolo Machiavelli who argued that freedom was incompatible with standing armies. Given to great mischief, the standing armies represented a great threat to the people and the state in Machiavelli's writings. Although we frequently associate Machiavelli with authoritarian government as a matter of fact he looked forward to the establishment of a democratic regime as soon as possible following the establishment of a nation-state.

In democracies militias were established early as a part of the general western commitment to integral liberal values. The English militia is intimately associated with the transition from divine right kingship to liberal democracy. One of the grave errors of the Stuart monarchy was to seek control over the total armed forces of the nation. The trained bands, as the popular militias were then called, sought autonomy and

identified their independence with freedom for the people. In the British colonies in North America the provincials demanded complete control their own military affairs.

Two democracies, Israel and Switzerland, have placed great emphasis on the citizen-soldier and the popular militia. Both nations require essentially universal military service and training of their subjects. Universal military service and training has resulted in wholly armed states in these two nations in which firearms are immediately available to the citizens. There is no indication that this has had any negative bearing on crime rates. Israel patterned its militia system after the Swiss program. Jews who emigrated to Israel after the near extermination of European Jewry during World War II knew that authoritarian political systems permitted no private ownership of firearms, at least among minority populations. They have vowed that they will never again be caught in the position of being effectively disarmed in the face of their enemies. The Swiss have come to believe that their long history of autonomy is inter-related with the armed nation.

Few Western democracies have followed Machiavelli's advice or the Swiss or Israeli example. A few of the Nordic nations, such as Sweden and Finland, have militia systems and a very few other democratic nations have universal military training. Most democracies have accepted the perspective of those who believe that mature nations have advanced beyond the "Wild West" mentality. Anti-firearms rhetoric has created a climate of opinion that accepts conclusions such as that firearms breed violence and that civilized nations are disarmed nations. They see a military armed with advanced weapons systems that are electronic, computerized, specialized and complex. Such is the current state of military preparedness. The foot soldier with small arms training is obsolete. Without

any need for the foot soldier there is no need for small arms and marksmanship training and thus there is no need for the militia or ancillary support for individual firearms training.

Totalitarian governments have heeded Machiavelli's advice more than have Western democracies. They have armed their citizens and made certain that their citizens from early childhood through adulthood have become familiar with the arms regularly used by their military. They train their people in the use and assembly and disassembly of arms of all military types. The Soviet Union uses its D.O.S.A.A.F. ["Voluntary Society for the Assistance of the Army, Navy and Air Force"] as a pre-induction military support organization. Likewise, Communist China has an advanced and well funded people's militia system. Fascist Italy, Imperial Japan and Nazi Germany all had para-military organizations which provided for training of military eligibles of all ages. Non-democratic governments have built regime support by showing their military hardware and building pride among the people in the sheer show of terror which only military hardware can bring. Knowing that either they were limited by international agreements not to exceed a certain size in the military, or knowing that their budgets cannot fully fund the military they would like, they arm and train the populus. Totalitarian governments are well aware that they may fight total and unrestrained warfare and hence become totally armed camps. Pre-militia and militia training is a key ingredient in the concept of the armed nation.

Totalitarian governments realize that an armed and trained population is a threat to their authoritarian rule so they train the population under careful supervision and control the supply of arms. Some totalitarian nations like the Soviet Union and Communist China train their people in basements of

factories and other public facilities. The government provides arms, training, instruction and ammunition. Most compel their citizens to participate.

Contemporary totalitarian governments have drawn their inferences and conclusions about weapons and citizen arms training from a very realistic view of the realities of war. The war in Korea, the Vietnam War, the war in Afghanistan and the recent joint western military action in the Middle East have all utilized advanced weapons systems, but have depended no less on the foot soldier armed with a rifle. The holy wars of communism, "wars of national liberation," have not disappeared, and will not disappear, with the collapse of communism in the former Soviet Union. Communism is still much alive in China and in the nations of southeast Asia under its influence. And wars of national liberation have always depended upon the success of the individual citizen-soldier and his small arm. Many successful wars of national liberation have been fought with obsolete and obsolescent weapons. American soldiers found Russian World War I bolt action rifles on bodies of many Viet Cong soldiers. Wars of national liberation are necessarily fought by citizen-soldiers, that is, unorganized militia, consisting of men who are first and foremost agricultural peasants and secondarily soldiers in the revolution. Soldiers in wars of national liberation are engaged in guerilla warfare and so must disguise their role in the armed camp. It was these citizen-soldiers who defeated the French in Indo-China and eventually brought great pressure on the American military in Viet Nam, and scored successes elsewhere.

The Citizen Soldier

The citizen-soldier may have been either conscript or volunteer. He stands in marked contrast to the professional soldier whose vocation is war. The citizen-soldier does not enter war for pay or booty. He goes to war only reluctantly, spurred on by notions of patriotism and nationalism and of duty. The citizen-soldier was the backbone of every American army. He deplores war. It was he who called attention to the excesses of professional soldiers in such disgraceful events as My Lai, Vietnam. He fights only as last recourse, when his nation is threatened, and not in imperialistic adventures. A recent article concluded that the Second Amendment to the United States Constitution was adopted "as a declaration that Federal Government can never fully nationalize all the military forces of this nation" because the masses of men with their own guns constitute "an essentially civilian-manned and oriented set of military forces" who can "inveigh against federal professionalization of the state militia."¹ The Preamble to the Declaration of Independence listed as two grievances against King George III that "[h]e has kept among us, in times of peace, standing armies without the consent of our legislatures [and] [h]e has affected to render the military independent of and superior to the Civil power."

The citizen soldier is seen, again, in medieval times, as the peasant conscripted to fight as a foot soldier. After the wars were over the peasant, too, returned to the fields. He is seen in the Minuteman of Lexington and Concord who left his business to attend to the matter of the nation's liberty. Of the wrongs done to the colonists, the Minute Men of Massachusetts, and the role of the citizen-soldiers, Chief Justice Earl Warren once wrote,

Among the grievous wrongs of which [the Americans] complained in the Declaration of Independence were that the King had subordinated the civil power to the military, that he had quartered troops among them in times of peace, and that through his mercenaries, he had committed other cruelties. Our War of the Revolution was, in good measure, fought as a protest against standing armies. Moreover, it was fought largely with a civilian army, the militia, and its great Commander-in-Chief was a civilian at heart. . . . [Fears of despotism] were uppermost in the minds of the Founding Fathers when they drafted the Constitution. Distrust of a standing army was expressed by many. Recognition of the danger from Indians and foreign nations caused them to authorize a national armed force begrudgingly.²

The citizen-soldier is a militiaman, a member of the unenrolled or the enrolled militia. Those enrolled formally today belong to the National Guard units of their state. A simple dictionary definition of militia is, "a body of soldiers for home use." The term meant "miles" or "troops" and was derived from the latin word for soldiers.³ In medieval Europe it was "the whole body of freemen" between the ages of 15 and 40 years, who were required by law to keep weapons in defense of their nation.⁴ In the later Middle Ages the militia was the whole body of "citizens, burgesses, free tenants, villeins [serfs] and others from 15 to 60 years of age" who were obliged by the law to be armed.⁵ Webster's *New Collegiate Dictionary* defines the militia as "a part of the organized armed forces of a country liable to call only in emergency" and as "the whole body of able-bodied male citizens declared by law as being subject to call to military service." One who participates in the militia, Webster notes, is a militia man. Webster's *New World Dictionary* provides an even more comprehensive definition of militia:

Militia. 1. originally, any military force. b. later, any army composed of citizens rather than professional soldiers, called out in time of emergency. 2.

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In the United States, all able-bodied male citizens between 18 and 45 years old who are not already members of the regular armed forces: members of the National Guard, Organized Reserve Corps (Army and Air), and the Naval and Marine Reserves constitute the *organized militia*; all others, the *unorganized militia*.

A mid-Nineteenth Century dictionary merely defines militia as a trained band, a standing and total military force of the nation.⁶ Another dictionary defines the militia as follows:

1. an authorized military force other than that of the full time, professional military establishment, especially an army of citizens trained for war or any other emergency
2. an authorized but unorganized military force consisting of the entire body of able-bodied men in the United States or its territories who have reached the age of 18 and are not more than 45
3. any citizens' army; any nonprofessional armed force organized or summoned to duty in an emergency.⁷

A recent author⁸ distinguished among army, trained bands and the various types of militia. An **army** is any armed land force that is organized and controlled by a clear chain of command. A **militia** derived from the Latin *miles* and the old English and French *milice* and indicated "the obligation of every able bodied Englishman to defend his country." It implies the obligation all citizens and perhaps resident aliens have to serve in the armed forces of their nation. In the American colonies the transition was made from English common law to the colonies. The federal Constitution made certain that any national obligation did not preclude service to the state which was primary and original. Initially the *enrolled militia* (or organized militia) included those select or specially trained militia enlisted by the colonies or states. Early select and enrolled militia were occasionally called *Trained Bands*. The *Minute Men* of New England were select or enrolled militia.

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After the federal Militia Act of 8 May 1792 was enacted the enrolled militia was simply those who had registered for militia service, providing their full names and addresses. Eventually, the select and organized militias of the states were called the *National Guard*. National Guard units called into federal service, from the Whiskey Rebellion through the World Wars were occasionally called *Volunteers*. The *Army of the United States* consists of all armed men and women in the national service, including all enrolled militia men.

During the War of 1812 a conflict over the enrollment of militia by the national and state governments developed. Massachusetts and Connecticut objected to the attempt of the national government to call their state militias into the service of the nation. The state position was sustained by the highest state courts, but remained unresolved in the federal courts. By the end of the Civil War the issue had been decided in favor of the federal government, and the *federal militia* was firmly established. Theoretically, a citizen after the Civil War was, because of the dual citizenship clause of the Fourteenth Amendment, liable for service in both the federal militia and the militia of the state in which he resided.

Theoretically at least, a *naval militia* may exist under letters of marque and reprisal. During the Revolution a few states, notably Pennsylvania, had state navies manned by militia. President Thomas Jefferson toyed with the idea of protecting our shores with large row boats armed with smaller cannon and manned by militia. In 1889 Massachusetts created a naval militia as a counterpart to the regular, land-based state militia, and a very few other states followed.

Trained Bands (or Trainbands) are found primarily in Elizabethan and Stuart England. The concept and term may be found as early as the reign of Alfred the Great (849-899). "For

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greater security, certain men in or near each settlement or City, who volunteered or were selected otherwise, were given, or agreed to procure, arms in advance of any emergency." These men became the mainstay of Cromwell's army during the Puritan Revolution. These units developed from the broader militia. The term is occasionally encountered referring to select militia in the American colonies.

Another authority defined militia as follows,

The word militia has in the past been given three widely different meanings. In its broadest sense it covers all citizens who could be called out in an emergency to defend the country, our able bodied manpower. In a narrower sense . . . it refers to those citizens, roughly between the ages of 18 and 45 years, who were enrolled by law in regularly organized units . . . The National Guard . . . is the third class of militia. . . . [T]he guardsman is essentially an amateur soldier; the [other two classes of] militiaman was ever a civilian.⁹

Another term that applies to "the military organization of the entire nation" is *levees en masse*. This force "must be recruited from men . . . women, children and the aged." It stands quite apart from the regular army, and even the militia. Its forces commonly have no uniforms or military discipline or training. They fight only in their home areas, along ill-defined battle lines. It is an uprising of all the people, or of a significant portion thereof. Usually, it is called forth by a general call to resist the enemy, rather than a muster call; or it may simply issue forth spontaneously. It never fights abroad. Its weapons are whatever are available from among the people. While it most frequently occurs immediately after the local area is attacked, the term might apply to a popular uprising that occurs after an area is occupied.¹⁰

The U.S. Supreme Court discussed the meaning on militia in a 1939 decision which was based on traditional views

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expressed in state court decisions.

The significance attributed to the term Militia appears from the debates in the Constitutional Convention, the history and legislation of Colonies and States, and the writings of approved commentators. These show plainly enough that the Militia comprised all males physically capable of acting in concert for the common defense. "A body of citizens enrolled for military discipline." And further, that ordinarily when called for service these men were expected bearing arms supplied by themselves and of the kind in common use at the time. . . . In all the colonies, as in England, the militia system was based on the principle of the assize of arms. This implied the general obligation of all adult males inhabitants to possess arms, and, with certain exceptions, to cooperate in the work of defense. The possession of arms also implied the possession of ammunition, and the authorities paid quite as much attention to the latter as to the former.¹¹

The sentimental role of the citizen-soldier is found in the parallel to the Roman Cincinnatus who left his plough in the field to answer his country's call.¹² In one of the very few rulings given by the Supreme Court on the right to keep and bear arms, the high court looked at the historical context in which militias had developed.

It is undoubtedly true that all citizens capable of bearing arms constitute the reserved military force or reserve militia of the United States as well as of the States; and, in view of this prerogative of the general government, as well as of its general powers, the States cannot, even laying the constitutional provision in question out of view, prohibit the people from keeping and bearing arms, so as to deprive the United States of their rightful resource from maintaining the public security, and disable the people from performing their duty to the general government.¹³

James Harrington, the philosopher of property rights and economic determinism, called the militia, "the vast body of citizens in arms, both elders and youth."¹⁴ Harrington also noted that the militia was "Men accustomed to their arms and

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their liberties."¹⁵ Commenting on Harrington's thought, Sir Henry Vance the Younger wrote that the militia was comprised of those who "have deserved to be trusted with the keeping or bearing Their own Armes in publick defense."¹⁶

Adam Smith, author of the influential treatise on economic liberalism, *The Wealth of Nations*, published in 1776, defined the term militia as,

either all the citizens of military age, or a certain number of them, to join in some measure the trade of a soldier to whatever other trade or profession they may happen to carry on. If this is found to be the policy of a nation, its military force is then said to consist of a militia.¹⁷

A French writer observed that "a well regulated militia [is] drawn from the body of the people." It is "accustomed to arms" and "is the proper, natural and sure defense of a free state." He cautioned his readers that a standing army was destructive of liberty.¹⁸

French military theorist Comte de Guibert expressed little admiration for militiamen who were not well disciplined. He described the citizen-soldier as a real barbarian who is

terrible when angered, he will carry flame and fire to the enemy. He will terrify, with his vengeance, any people who may be tempted to trouble his repose. And let no one call barbarious these reprisals based on laws of nature [although] they may be violations of so-called laws of war. . . . He arises, leaves his fireside, he will perish, in the end, if necessary; but he will obtain satisfaction, he will avenge himself, he will assure himself, by the magnificence of this vengeance, of his future tranquility.¹⁹

Sir James A.H. Murray in his *New English Dictionary of Historical Principles*, defined the militia as,

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a military force, especially the body of soldiers in the service of the sovereign of the state, [who are] the whole body of men amenable to military service, without enlistment, whether drilled or not A citizen army as distinguished from a body of mercenaries or professional soldiers.²⁰

Simeon Howard (1733-1804), writing in Boston in 1773, said that a militia was "the power of defense in the body of the people . . . [that is], a well-regulated and well-disciplined militia. This is placing the sword in hands that will not be likely to betray their trust, and who will have the strongest motives to act their part well, in defence of their country."²¹

Justice Story in his *Commentaries* defended the militia system. He wrote,

The militia is the natural defense of a free country against sudden foreign invasions, domestic usurpation of power by rulers. It is against sound policy for a free people to keep up large military establishments and standing armies in time of peace, both from the enormous expense with which they afford ambitious and unprincipled rulers to subvert the government, or trammel upon the rights of the people. The rights of the citizens to keep and bear arms has justly been considered as the palladium of the liberties of a republic; since it offers a strong moral check against the usurpation and arbitrary powers of rulers; and will generally, even if these are successful in the first instance, enable the people to resist and triumph over them.²²

Benjamin Franklin defined the militia as a voluntary association of extra-governmental armed troops acting under their own authority. Franklin wrote that a militia is a

voluntary Assembling of great Bodies of armed Men, from different Parts of the Province, on occasional Alarm, whether true or false, . . . without Call or Authority from the Government, and without due Order and Direction among themselves . . . which cannot be done where compulsive Means are used to force Men into Military Service. . . .²³

In *Presser v. Illinois*²⁴ the United States Supreme Court

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noted that,

It is undoubtedly true that all citizens capable of bearing arms constitute the reserve military force or reserve militia of the United States as well as of the states [T]he States cannot, even laying the constitutional provision in question out of view, prohibit the people from keeping and bearing arms, so as to deprive the United States of their rightful source for maintaining the public security, and disable the people from performing their duty to the general government."

In 1939 the Supreme Court reaffirmed this point of law. The militia is "comprised [of] all males physically capable of acting in concert for the common defense [W]hen called for service these men were expected to appear bearing arms supplied by themselves and of the kind in common use at the time"²⁵

The Idea of the Militia

The generation which produced the American Constitution approached military matters in terms of the tripartite system that has prevailed in England through the early 18th Century. The first level consisted of a small cadre of trained professional soldiers. They were similar to the houscarls in medieval times and the *landsknecht* in early modern times. They were few in number, representing less than one percent of the population. This group provided the experience, training, personnel and supply agents necessary for a major military mobilization.

On the second level, representing perhaps two to five percent of the population, would be the trained militia, corresponding to the Trained Bands of Stuart England. These men would be drilled in military fashion and trained under supervised conditions in riflanship. They were true trained militia. They were first civilian farmers, craftsmen, tradesmen

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and professionals, and only secondarily soldiers.

The third group, by far the largest in numbers, encompassed virtually the entire, able-bodied adult male population.²⁶

In medieval days this group was known as the Great Fyrd. They were not ordinarily combat troops. They were mustered only in the case of actual invasion of their immediate home area.

In that unlikely event they would function as *levees en masse*, local citizens rising up in their own immediate area to resist invaders. The principle of *levess en masse* has long been recognized under international law. Normally, they would be the reservoir upon which the armed forces could draw in case large numbers were needed in wartime.²⁷

In medieval times it was a matter of law that common folk have weapons, as used by ordinary citizens in their homes. Before induction the rulers expected the peasants to have acquired certain skills with their weapons in the course of daily life. The English *Assize of Arms* (1181), enacted by Henry II, required that each man keep at his own expense in his home a weapon appropriate to his rank and position.²⁸ The American use of militia was, in reality, a throwback to the practices of an earlier age.

Most European nations had abandoned the militia system by the Sixteenth Century.²⁹ Americans chided the English for abandoning the militia system which had worked so well here. The militia, alone, had served as a check on the native aborigine in the colonial period of American history. When General Braddock was defeated near Pittsburgh, then Ft. DuQuesne, the Virginia militia under Colonel George Washington's command stood against the French and Indians. The British army fled to the eastern seaboard. During the colonial period Americans came to trust the militia to a far greater

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extent than they trusted the regular royal army. The fancy uniforms and European battle formations may have served the British well in wars in the old world, but they were ill suited for backwoods America.

Award winning historian and former Librarian of Congress Daniel Boorstin noted,

Everywhere, Americans relied on an armed citizenry rather than a professional army. The failure to distinguish between the "military man" and every other man was simply another example of the dissolving of the monopolies and distinctions of European life . . . In a country inhabited by "Minute Men" why keep a standing army? . . . The fear of a standing army which by European hypotheses was the instrument of tyrants and the enslaver of peoples, reenforced opposition to a professional body of men in arms."³⁰

While the English Parliament and His Majesty's government argued that the colonials ought to bear some part of the cost of the wars with the French and Indians, the colonists disagreed. The colonial legislatures had appropriated money to pay their militias. The British troops were useless in the woods. The British troops had been effective against the French armies in Canada, but that was of little concern to the colonials. Let the English bear the cost of their wars with France. After all, the wars here were only an extension of the greater wars in Europe.

Since the colonists' wars were generally brought on by England's massive conflicts on the Continent the home country could rarely spare many of its professional soldiers to defend the colonies against the French. In peacetime Royal troops were more numerous, but they were unpopular. Royal troops enforced the hated smuggling laws and, later, Britain's policy against westward expansion for the colonies. Such "tyranny", and the memory of the uses to which Cromwell and the Stuarts

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had put standing armies, seemed to validate the truisms of classical political philosophy: that an armed populace provides all the security necessary against either foreign invasion or domestic tyranny, while a professional army allows rulers to oppress their unarmed subjects.³¹

After the Revolution began the British decided to avoid any future armed conflict with the colonists over the payment of taxes or for any other cause. The British government had planned to disarm the Americans completely had they won the war of the American Revolution. In 1777 the British cabinet, confident of impending victory, planned to abolish the militia. The cabinet had planned that,

The Militia Laws should be repealed and none suffered to be re-enacted and the Arms of All the People should be taken away nor should any Foundry or Manufactory of Arms, Gunpowder or Warlike Stores, be ever suffered in America, nor should any Gunpowder, Lead, Arms or Ordnance be imported into it without Licence.³²

In the late Seventeenth century the militiamen, coming from the towns and cities of New England, proved sadly deficient in the firearms skills and discipline necessary to contain even the ragged, ill-clothed and underfed braves of King Philip's army. The southern militia was all but non-existent. Only in the middle colonies of Pennsylvania, Maryland and Virginia, and to a slightly lesser degree, New York, were really a formidable force.

During the Revolution George Washington recognized that, however useful the militia might be in harassing or semi-guerrilla warfare, lasting victory could be forged only with a regular army. The militia concept had appealed to the Founding Fathers because it accorded with their philosophical predispositions and their own experience in warfare. From

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their inception the American colonies had to rely upon an armed populace for defense. Many times the colonies simply could not afford to maintain a sufficient standing military establishment. It also became a matter of duty. One had to work and to be prepared to defend the colony if he wished to live within its borders. Necessity, popular opinion and abstract philosophy had combined to commit the Founding Fathers to a military system based ultimately on what was then described as the "unorganized militia."

The unorganized militia ideal remained the basis of American military defense to the beginning of the Civil War. The ideal of Cincinnatus was epitomized in Lincoln's call for 60,000 three month volunteers who were supposedly to win the war in 90 days and return home. But the urban citizenry was no longer skilled in marksmanship. Few city dwelling unorganized militiamen had even the most rudimentary training with firearms. Archeological evidence suggests that many of the soldiers, particularly Northern troops, engaged in action throughout the Civil War were notably lacking in the firearms skills which were supposed to characterize the militia.

Many rifles recovered either at the time or in subsequent excavation of Civil War battlefields had multiple charges poured into their barrels. Soldiers had continued to load their weapons without firing them.

It would be quite unfair to dismiss the militia by cataloguing only its failures. From their earliest days, the American colonies and subsequently the American Republic owed their existence to the valor of hastily organized militia forces in holding their own, and eventually overcoming, equally disorganized opposing forces.

M

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Though the nation could not realistically depend for its defense upon an unorganized and undisciplined citizen-soldier, no matter how well armed, those citizens who owned and regularly used firearms in their private lives were found to excel when mobilized into a disciplined and well ordered military force. Toward the end of civilian, and subsequently governmental programs to maintain and expand civilian marksmanship.

As early as the 1870s the National Rifle Association was founded for the purpose of promoting the shooting sports and, thereby, civilian and military marksmanship. These remained its sole objectives for its first half-century of existence. During this time it engaged in no controversy or political activities and remained a tiny organization largely dominated by retired military officers of whom the most prestigious were its early presidents Ulysses S. Grant, Philip Sheridan, and Rutherford B. Hayes. During the administration of President Theodore Roosevelt, and his Secretary of War, Elihu Root, the civilian marksmanship program was created by Congress. This program financed the construction of shooting ranges around the country and, in conjunction with the NRA, helped popularize the publicize shooting contests and exhibitions and other activities designed to focus young men's attention on the development of marksmanship skills. Particularly dramatic in this respect was the NRA's organization in 1908 of the first American Olympic Rifle Team to win a gold medal. In the same year President Roosevelt recommended to Congress that it appropriate further monies to establish target ranges in public schools.³³

Although it has continued for over 75 years, the Civilian Marksmanship Program has never been generously funded.

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Limited amounts have been expended in the construction of shooting ranges in a few areas. The program's activities have consisted primarily in encouragement of and assistance to civilian shooting clubs and civilian shooters & competitors. Probably the most significant activity by the Director of Civilian Marksmanship (DCM) has consisted in selling, lending or leasing firearms and ammunition to both citizens and shooting clubs. Under the DCM vast numbers of obsolete and obsolescent firearms were sold to these clubs and private parties.

The national government had made two assumptions. First it had concluded that civilian marksmanship programs were a small, but highly important, part of total military preparedness. Second, it was important that civilians become familiar with military type weapons. In the case of a grave national emergency the reserve militia would have weapons of military type and of a standard military calibre.

The militia system failed when and where it was misused. When it was used as a primary unit of defense, and occasionally as an offense it rarely behaved well. It was never supposed to be the first line of anything. It was supposed to be a reservoir of manpower which could be trained, disciplined and drilled as organized militia. It also was to be a general reservoir of untrained manpower skilled only in the use of firearms, who might be conscripted, drilled, disciplined and formed into cohesive fighting units within the setting of a military system.

A number of factors have combined so substantially diminish government support for civilian marksmanship in the United States in the post World War II era. To the uninitiated, marksmanship skills have come to seem militarily irrelevant because infantrymen are now equipped with fully automatic rifles with which (it is assumed) "hits" can be assured by

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simply pointing in the general direction of the target and depressing the trigger until the weapon is empty.³⁴ Moreover, during the Cold War period, first priority for disposal of surplus American military weapons was for distribution to American allies around the world, rather than to the American civilization population.

Initially this diminution of government surplus sales of little importance because millions of foreign military surplus weapons were being imported and sold at very low cost throughout the post war period. In 1958 then Senator John F. Kennedy, himself a NRA life member, proposed legislation to end this traffic for the explicit purpose of protecting domestic American firearms manufacturers.³⁵ The legislation particularly mentioned five Massachusetts manufacturers. Domestic manufacturers had sought such legislation for years, but unsuccessfully because their comparative unimportance, and their concentration only in the New England region, had precluded their building the necessary political base of support. This situation was dramatically altered by President Kennedy's assassination with a foreign military weapon of type which, ironically enough, would have been prohibited under the firearms manufacturers' bill which he had introduced. As a result, such imports were subsequently prohibited by federal law.

Philosophical Background

The right to keep and bear arms and the militia and citizen-soldier concepts figure frequently in political philosophy. We find both democratic and authoritarian political theorists

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arguing the issue of the people keeping and bearing arms. There is an interesting philosophical question for authoritarians. Most authoritarian theorists agree that a citizen-soldier army affords the best possible defense for the state. Those bearing arms must be familiar with arms in order to use them effectively. How can a king provide for the arming and discipline of a militia unless he grants to the people rather free access to weapons? If the people have weapons will they not use the arms to secure their freedom?

We are hard pressed to find any democratic political theorist who would absolutely deny to the people the right to keep and bear arms. The problem for a democratic theorist is thus far different than it is for an authoritarian theorist. The democrat must consider how a government may grant free access to arms among the citizens and yet preserve the peace.

The Greeks

Plato (c.427-347, B.C.) in the *Republic* created a class of warriors which would be alone and in sole possession of arms. It is not coincidental that the elite also controlled all political activity. The rulers whom Plato called guardians could tell the "noble lies" to the masses and otherwise control them as they saw fit. The arms-bearing class emerged politically and economically supreme naturally as the pure, ideal, first state underwent corruption and disappeared. As men obtained more than they actually needed, the first state lost its base. When men lived in the primitive society they had only what they actually needed and therefore did not attempt to obtain more. After men fell metaphorically from grace and became greedy, disparities of wealth and poverty became the bitter condition of society. To maintain their position the hunters and warriors

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appropriated to themselves alone the right to have, keep and bear arms. They created the second state.

In the third, proposed state of the *Republic*, the remnants of the hunter-warrior class maintained a monopoly on arms bearing. They were especially recruited because they had superior physical and mental abilities. The arms bearers were now called the Guardians. They were interbred and educated apart from the rest of humans in the state. Plato likened the Guardians to faithful dogs. In normal times they were placid and docile. In times of war or internal strife they became defensive and loyal to their masters and ready to defend him and what was his to the death. His great distrust of the common man may be observed in the following,

If a war with outside forces arises, the oligarchy are faced with the following dilemma: either they must call out the common people or not. If they do, they will have more to fear from the armed multitude than from the enemy; and if they do not, in the day of battle, these oligarchy will find themselves only too literally a government of the few.³⁶

While Plato condemned the oligarchy of wealth and privilege that he saw in many lands, and he knew that the tyranny was backed by the great force of arms for which the oligarchies had a monopoly, he did not see that his *Republic* created much the same sort of system. He was the first political philosopher to discuss the distinctive and obvious link between tyranny and arms monopoly. Plato was no friend to democratic theory in his *Republic*, but he did teach his fellow Greeks that the art of war was a distributive activity. His entire guardian class was bred to serve as the protection of his ideal state in war. They were trained as faithful dogs who loved and obeyed their masters and were at peace at home, but necessarily protective of their masters and brutal to his

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enemies. In Book XVII of the *Republic* Plato took up the question of the conduct of war. He set rules which the citizen-soldiers of the Republic must not violate. His rules did not civilize war, but they did set reasonable limits on the conduct of war and on the treatment of prisoners of war. In war,

Men and women will take the field together and moreover bring with them the children who are sturdy enough to learn this trade, like any other, by watching what they will have to do themselves when they are grown up; and besides looking on, they will fetch and carry for their fathers and mothers and see to all their needs in the time of war.³⁷

In the *Laws*, written after the failure of his experiment with a practical model of the Republic, Plato again suggested the disarmament of the general populace. Plato knew that a democracy required that the common people enjoy the right of keeping and bearing arms, and that with arms they were a constant threat to rebel against tyranny or excessive authority.

Xenophon, like Plato, was a student of Socrates in Athens. He became a mercenary soldier on an ill-fated expedition in Persia that was designed to change rulers in that nation. After the pretender Xenophon supported died he and his men were trapped in hostile country. His *Anabasis* recounted the retreat of the 10,000 soldiers. During that retreat he discovered that an army like a city is a community of friends. It was governed by as pure a form of democracy as was known in antiquity. He came to regard to his leadership as a form of paternal care of his friends. In a retreat like that undertaken by Xenophon and his comrades one had the opportunity to observe how training and discipline worked on the citizen-soldiers. He concluded that military service simply magnifies civic virtues and vices. The strengths and weaknesses of the parent civil society from which the men had come are written

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small in the military child. The system which draws upon men who are first citizens and only secondarily soldiers works best and has the greatest stability in times of crisis. Xenophon was the first to concentrate on studying and developing techniques of effective military and civic leadership, and of the relationship between the military and civil authorities.

Xenophon was also the first to observe and write on the intimate relationship between hunting and the art of war. Nothing prepares a citizen to go to war as thoroughly as the chase. It was Xenophon who related the legend that Chiron the centaur had learned the hunt from the gods and had passed its arts and mysteries along to humankind. Hunting, the gods knew, was the way to prepare for war. One learned to know nature and how to blend in with it; and one learned sciences such as typography and geology. So convinced was Xenophon of the value of hunting that he prepared the first treatise on the subject, *Cynegeticus*. He also wrote of the values as well as pleasures of hunting in *Cyropaedia*.³⁸

Aristotle (384-322, B.C.) is generally viewed as the father of republican thought. We are accustomed to reading his classic definition of the polis (city-state) as the locus of moral activity and the politics carried on in the state as a form of applied ethics, of "ethics in action." The good state was obliged to distribute justice as its primary function, rendering to each his due by a constant and perpetual will.

Plato was Aristotle's mentor and his political opponent in that Aristotle favored a more democratic form of government. Aristotle rejected Plato's transcendental approach, substituting for it an empirical methodology based on observation. Plato had made astute observations on political realities, as we have seen, above, but he constantly returned to the guidance of innate knowledge gained in pre-existence in a "World of

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Ideas." Typical of Aristotle's observations of practical political events in his description of the disarming of the Athenians by Peisistratus:

Winning the battle of Pellenis, he seized the government and disarmed the people; and now he held the tyranny firmly and he took Naxos and appointed Lygdamis ruler. The way in which he disarmed the people was this: he held an armed muster at the Temple of Theseus and began to hold an assembly, but he lowered his voice a little, and when they said they could not hear him, he told them to come up to the forecourt of the Acropolis, in order that his voice might better carry, and while he used up time making a speech, the men told off this purpose gathered up the arms .

. . . ³⁹

Male citizens are to govern in the best of all forms of government, the Republic, "the members of which are those who bear arms." ⁴⁰ Those who are not privileged to bear arms will be the servants of those who possess arms. Aristotle described the oligarchy of a warrior class: "The farmers have no arms. The workers have neither arms nor land. This makes them servants of those who do possess arms." ⁴¹ Aristotle rejected Hippodamus' argument for a city-state based on classes with definite functions, including an arms bearing warrior class. His distinct preference was for a republic in which arms bearing is an attribute of true citizenship. War would be made in the ideal republic by citizen-soldiers.

Aristotle based his principles on observations of political practices in 300 states known in his time. He drew conclusions

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from realities and became the first political scientist in that he described rather than prescribed based on personal insight and philosophical presuppositions. Much of what he observed was held by men over two millennia to be absolutely true and final. Power was held by those who controlled arms. States seemed to move from distributive arms possession to highly restrictive arms possession as they became more despotic. There was no real challenge to the conclusion being based on cause and effect.

Aristotle had made the classic division of governmental types: monarchy, aristocracy and republic. Each pure form of government had its corresponding corrupt form: tyranny, oligarchy and mob rule. One way one might tell a monarchy from tyranny and aristocracy from oligarchy would be that in the good forms, people might keep and bear arms, whereas in the corrupted forms, the state would have a monopoly on arms. Aristotle described the rule of the "30 tyrants" of Athens as being characterized by the disarmament of the general population. Only the 3000 persons who accepted the tyrants could own property of any kind, arms included.⁴²

The Romans

The early Romans based their Republic on the citizen-soldier army. One was not a professional soldier; one was a citizen engaged in normal civilian occupations who served on demand, as a soldier. Arms bearing the citizenship were co-extensive and co-terminus. The decline of the Republic paralleled the emergence of the professional soldier, and, worse, the employment of mercenary soldiers. They left behind very little literature concerning the militia and the citizen-soldier.

In the Roman Republic all citizens, patricians and

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plebeians alike, had the right and the obligation to keep and bear arms. The compiler of much Roman law and philosophy of history, Cicero (106-43, B.C.), argued that states, unlike people, do not naturally die. When a state dies, its entire world and world-view perishes with it. It must survive in order to preserve a way of life in which it has placed its supreme values. In order to continue to live the state must occasionally engage in war. War may licitly be entered only to save honor or for the safety of the state and its citizens. The citizen-army represents the very spirit of the state and it must be the cornerstone of its defense.⁴³

The republic had been founded on the principle of the citizen-warrior. Arms bearing served two purposes. Citizens bearing arms protected and defended the state against foreign enemies. The militia was also a guarantee against tyranny. As late as c. 50 B.C. Cicero defended assassins whose acts of murder had been done for the good of the state. In 63 B.C. Cicero defended Gaius Rabirius who had killed Lucius Appuleius Saururnius because the latter had conspired with Gaius Marius to replace the arms bearing populace with a standing army. Once a standing army, mercenaries generally, was created the people could be deprived of their arms and denied the arms necessary to preserve a republic.⁴⁴

Again, in 53 B.C., Cicero defended a republican colleague accused of the murder of Publius Clodius Pulcher, a disciple of Caesar. Cicero argued that the alleged murderer, Titus Annius Milo, had used justifiable force and had acted in the best interests of the state. His actions were justified under natural law. Cicero's speech in the politically charged atmosphere of this trial is a classic defense of the right to keep and bear arms.

And indeed, gentlemen, there exists a law, not written down anywhere but

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inborn in our hearts; a law which comes to us not by training or custom or reading but by derivation and absorption and adoption from nature itself; a law which has come to us not from theory but from practice, not by instruction but by natural intuition. I refer to the law that lays it down that, if our lives are endangered by plots or violence or armed robbers or enemies, any and every method of protecting ourselves is morally right. When weapons reduce them to silence, the laws no longer expect one to await their pronouncements. For people who decide to wait for these will have to wait for justice, too -- and meanwhile they must suffer injustice first. Indeed, even the wisdom of self-defense, because it does not actually forbid men to kill; what it does, instead, is to forbid the bearing of an inquiry passes beyond the mere question of the weapon and starts to consider the motive, a man who had used arms in self-defense is not regarded as having carried them with a homicidal aim.⁴⁵

The court did find Milo guilty, perhaps in part because of the politics of the times, and perhaps in part because of the popular pressures brought to bear (there were riots in the streets of Rome), and perhaps in part because the murder had occurred as a result of a clash between the two rival camps, and there was some real guilt. But Milo was exiled, not executed, perhaps in part because the jury thought that Milo had removed a tyrant.

Shortly after Milo's trial, Caesar made his historic crossing of the Rubicon (49 B.C.). This act confirmed Gaius Marius' abolition of the citizen-soldier and the replacement of it with professional mercenaries. Rome became more imperialistic, embarking on wars of conquest which allowed the soldiers to collect booty from the conquered peoples. The wars in Gaul marked the end of the republic for Romans and the end of liberty for many non-Romans who were conquered.

Caesar bragged that he had "cut off the hands of all who had borne arms" against him and had slain "a great number of them and stripped all of their arms."⁴⁶

The result of the replacement of the citizen-army with a

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mercenary one was that when the Roman Empire fell, the mercenaries fled or turned against Rome and there was no one left to mount the ramparts. The sturdy Roman citizens who had defeated Carthage and all opponents over seven hundred years fell quickly to the barbarians.

Early Christian Thought

Saint Augustine of Hippo (354-430) was the first great synthesizer of Christian thought. In his discussion of the just war, Augustine defined the state as "a multitude of men bound together by some bond of concord."⁴⁷ A citizen of the state "may do the duty belonging to his position in the State by fighting by the order of his sovereign" even if the leader is "an ungodly king" and the militiaman is "a righteous man."⁴⁸ Augustine followed Cicero in agreeing that "a state should engage in war for the safety which preserves the state."⁴⁹ The evil of war is not in killing and dying; rather it is in the change wrought in the hearts of those who come to love war and violence, and who hate their enemies.⁵⁰ If Christ had intended to condemn war outright He would have done so. He would have told the soldiers who came to him⁵¹ that he could not earn or merit salvation as long as he bore arms.⁵²

God Himself may order some men into battle. He may unite his faithful to serve Him in a great war against the Evil One. God had called the Chosen People to war in the Old Testament. He might have cause to do the same again. In that case all of God's people would be called. It would be a heavenly militia that might fight at the Battle of Armageddon⁵³ on God's side.⁵⁴ Regardless of the nature of war, God's saints can never be harmed. The saints are immune to all things of the world. Whether they are the soldiers in a battle or the

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victims of a war, they cannot be led astray, for they are impelled to God by irresistible grace.⁵⁵

After the fall of the Roman Empire, defense against external and internal enemies was provided in the many small kingdoms by a complex arrangement of obligations based on class distinctions. The lower classes provided common arms of the day and were known as the fyrd. Those subject to discipline were the select fyrd, and the untrained masses were known as the great fyrd. Nobles maintained a standing arm of professionals or mercenaries known as houscarls. By 690 A.D. the ceorl, the lowest freemen in England, had been ordered to keep and bear arms as an obligation to the lords to whom they were bound.⁵⁶

Arms were to be borne in defense of the state, but there is little evidence that they afforded protection to the commoners. The nobles had, on occasion, used arms to force a king to reduce his powers over the nobility, as in the case of the English Magna Charta. One reason that commoners did not use arms to check tyrannical power may have been the strong influence of church theology and philosophy which widely condemned the assassination of kings. Generally, such medieval thinkers as Saint Thomas Aquinas (1225-1274) and John of Salisbury (1115-1180) condemned regicide and rebellion.

Early European Thought

Niccolo Machiavelli (1469-1527) returned to Aristotle's principles in constructing much of his public political philosophy. We have discussed Machiavelli more fully elsewhere. His principle that arms bearing was the major proof of the existence of a republic, and that only in the republics were the

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people at large permitted to arm themselves in peacetime, became the cornerstone of much of republican thought that continued through the American Revolution. We will discuss Machiavelli in more depth shortly.

In 1516 Thomas More (1478-1535) published the first great novel depicting a hypothetical land that is unknown, but which, once described, can serve as a model for other lands. He chose as its title *Utopia*, the Greek word for "nowhere," and such novels ever after were called "utopian." In Book II he devoted a brief section to the war among the Utopians. He wrote,

They hate and detest war as a thing manifestly brutal, and yet practiced by man more constantly than by any kind of beast. Contrary to almost all other peoples they consider nothing so inglorious as the glory won in war. Nevertheless, both the men and the women of Utopia regularly practice military exercises on certain days, so that they will be prepared when the need arises. . . . When they promise their resources to help in a war, they furnish money abundantly, but citizens very sparingly. . . . If possible they use only their mercenaries and so avoid sending their own citizens to battle. When this is impossible and they must take part in the fighting themselves, they join battle with a boldness as great as their prudence in avoiding it.⁵⁷

Even after the Reformation, revolution was unacceptable in western theology. Martin Luther (1483-1546), for example, condemned the German peasant uprising and apologized for the brutal suppression of that rebellion. Luther told the rebels that not only were they to be tortured to death in this world, they would also be condemned to everlasting hell fire and damnation in the next world.

At the beginning of modern thought, many writers were strongly in favor of absolute monarchy. Jean Bodin (1530-1596), who wrote the *Six Books of a Commonwealth* in 1606, saw sovereign power as unlimited, and advised his followers

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never to permit the people to keep and bear arms. "Another and most visual way to prevent sedition, is to take away the subjects' arms . . . " ⁵⁸

A staunch advocate of unlimited power of sovereigns, Thomas Hobbes (1588-1679) wrestled with the problem of the people bearing arms before arriving at a solution which is not either logical or internally consistent. One must always attempt to provide for his own self-preservation, and thus Hobbes was reluctant to disarm the people. Nonetheless, sovereign power, if it is truly sovereign (i.e., unlimited) must allow the king a monopoly on force, meaning, practically, a monopoly on arms. For individuals Hobbes wrote, "A covenant not to defend myself from force, by force, is always voyd." ⁵⁹ Yet when he discussed the power of the monarchy he wrote, "Covenants, without the Sword, are but Words, and have no strength to secure men at all." ⁶⁰ "There are two things necessary," Hobbes reasoned, "for the people's defense: to be forewarned and to be forearmed." ⁶¹ The enrollment of a militia is a part of being forearmed, "for the listing of soldiers and taking up of arms after the blow is given is too late" ⁶²

When the people hire the king, having formed a covenant among them, the king is in no way bound by the contract for he is not a partner to the contract. Hobbes always cautioned that the cause of that greatest political evil, civil war, was the king having insufficient sovereign power. Hobbes had no intention of giving the people the right to use their arms to overthrow a king, whether just or unjust. That would be sedition, the great disease in the body politic; and Hobbes acknowledge no right of tyrannicide.

The king alone in Hobbes has the right to order the use of, and training in, arms. "[O]ne council or one man, who hath the right to arm, [is] to gather together, to unite so many

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citizens, in all dangers and on all occasions, as shall be needed for common defence against the certain number and strength of the enemy." The people have bargained away "their whole right of war and peace unto some one man or council." The king can call out his whole body of subjects but "no man can by right compel citizens to take up arms." A king may "punish him that doth not obey" a call to arms.⁶³

John Milton (1608-1674), whose *Tenure of Kings and Magistrates* (1649) defended the execution of Charles I (1649), was one of the leading intellectuals of the Puritan community. In his *Eikon* Milton wrote, "Our trained bands are the trustiest and most proper strength of a free nation."

The democratic political philosophers who followed Hobbes and Bodin granted the people the right to arm themselves. John Locke (1632-1794) and James Harrington (1611-1677) saw that democratic governments can exist only when the tyrant is threatened by a people which had the arms to effect revolution in defense of freedom. Locke noted that when people "have given themselves to the absolute power and will of a legislator, they have disarmed themselves, and armed him, to make prey of them when he pleases."⁶⁴

James Harrington emphasized general property ownership as a pre-condition for establishing and maintaining republics. He conceived one form of property, arms, to be the primary means by which individuals affirmed their political participation. How they exercised the right to possess arms told us much about their ability to act as responsible moral agents. Bearing arms, simply, symbolized political independence. Because the landed gentle class had leisure time on its hands it could exercise many attributes of citizenship, including voting and bearing arms. As Harrington

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wrote, "Men accustomed unto their arms and liberties will never endure the yoke" of tyranny.⁶⁵ As one recent article concluded, James Harrington " . . . associated political stability with the armed, enfranchised and propertied citizenry."⁶⁶ Property as land was an insufficient proof of citizenship. Arms guaranteed both political and participation and maintenance of other property rights. Like most other English political theorists of his time, Harrington thought that only the citizens' militia could preserve the democratic constitution which they advocated.⁶⁷

Algernon Sidney (1622-1683) opposed the policies of Charles II in England, and in 1670 was beheaded for his "treasonable" opposition to the arms policies of the monarch. Catholics, favored by the Stuart King, had been armed, and Irish mercenaries were imported to bolster kingly power at the expense of the majoritarian Protestant populace. These Anglicans and other Protestants in communion with the established church had been disarmed. Sidney's protest cost him his life, but that sacrifice added fuel to the fire which eventually led to the Glorious Revolution, and the promulgation of the English Bill of Rights. He was among the several prominent radical Whigs who taught that arms were "the only true badges of liberty."⁶⁸ Sidney warned against disarming the people while allowing the legislator to have his powers to "make prey of them when he pleases."⁶⁹ In "a popular or mixed Government, Sidney wrote, "the body of the People is the publick defense, and every man is arm'd and disciplin'd." The militia, however, consisted only "of the same Persons as have Property."⁷⁰

John Toland (1670-1722) expanded the importance of the militia as it had been described in the writings of Sidney and Harrington. His *The Militia Reform'd* (1698) planned to

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arm the vast body of English freemen who were also property owners. Only such a group as the property owners would be able to discern and serve the public good. This body was Toland's Roman citizenry under arms and the backbone of the Roman Republic. Those who had to work for a living lacked the time to reflect upon the meaning of the public good. The young nobles and gentry of England might make her army the best in the world. In the ancient world, "a general Exercise of the best of their People in the use of Arms was the only Bulwark of their Liberties." ⁷¹

Sir Walter Raleigh (1552-1618) also viewed arms bearing as a fundamental right of a free people over and against attempt of government to suppress arms. His "Sophisms of a Tyrant" was written to parody those English monarchs who would violate the natural rights of Englishmen (and all peoples). One principle that a tyrant must always follow is to "unarm his people and store up their weapons." Freemen possess arms, and when we wish to know if a nation is free, we need only examine the distribution of arms. If the people may possess arms we have a republic and if the king has all the arms we have tyranny. ⁷²

Marchamont Nedham (1620-1678), writing in the second half of the Seventeenth Century, held that "responsible citizens, freemen" alone had the right to keep and bear arms. Those "such as had an Interest in the Publick" might be enfranchised with this right. His universe of armed citizenry was smaller than the pool established by democratic writers, but the principle was here reaffirmed. Only freemen bear arms and only those are free who possess the right. ⁷³

The far left of the English Puritan Revolution was well represented by the True Levellers (or "Diggers"), led by Sir Gerard Winstanley (c.1609-c.1660). In their view the citizen-

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soldiers had rescued England from foreign influences. They drew an analogy between Charles I and William the Conqueror. "And now the Commoners of England in this Age of the World are risen up in an army, and have cast out the Invasion of the Duke of Normandy, and have won their Land and Liberties again by the Sword."⁷⁴ One model Puritan government given by John Rushworth (1612-1690) for the Levellers was entitled, "The Agreement of the People." It was presented to Parliament in October 1647 and again, in a slightly revised version, in January 1649. Regarding the popular militia and the restricted use of armed force generally, it proposed, as its eighth point, the following.

We do not empower them [Parliament] to impress or constrain any person to serve in a foreign war, either by sea or land, nor for any military service within the kingdom; save that they may take order for the forming, training and exercise of the people in a military way, to be in readiness for resisting foreign invasions, suppressing of sudden insurrections, or for assisting in execution of the laws; and may take order for the employing and conducting of them for those ends⁷⁵

The effectiveness of the English Puritan political philosophers who advocated a militia in place of a standing army can be seen in the writings of contemporary royalists. In 1647 a group of professional soldiers wrote, "The Case of the army Truly Stated." They argued that the army "took up Arms in judgment and conscience for the people's just rights and liberties." But reading the Puritan pamphlets "the people begin to cry louder for disbanding the Army because they see no benefit accruing. . . . The Army is exposed to contempt and scandal, and the most black reproaches, and infamies are cast upon them" ⁷⁶

Oliver Cromwell (1599-1658) remained unimpressed and implacable. He preferred a standing regular army to the

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militia. Article XXVII of his constitution provided for 10,000 horse soldiers and 20,000 infantry to be stationed in the realm.⁷⁷ Many of the Puritans were greatly disappointed at this development. The anonymous author of "A True State of the Case of the Commonwealth," put forth the most thoughtful and comprehensive defense of Cromwell's constitution. Included was the statement that the army was "the only visible support of the Nation's security" and "the great Impediment in the way of their Monarchy."⁷⁸ Andrew Prynne (1600-1669), among others, argued that the Protectorate had erred on occasion. He blamed those errors on the lawyers and the professional military men. Among the mistakes was Cromwell's placing reliance on the army and not a popular militia.⁷⁹

Andrew Fletcher (1655-1716), writing in the early years of the next century, observed that, "he that is armed is always the master of the purse of him that is unarmed."⁸⁰

Few Europeans had more influence on the development of political theory in America than did Charles-Louis de Secondat, Baron de la Brede et de Montesquieu (1689-1755). Montesquieu was one of Thomas Jefferson's favorite authors. In his best known work, *The Spirit of the Laws* (1748), Montesquieu observed,

[I]t follows that the laws of an Italian republic, where bearing fire-arms is punished as a capital crime and where it is not more fatal to make an ill use of them than to carry them, is not agreeable to the nature of things.⁸¹

Jean Jacques Rousseau (1712-1778) did not accept the traditional view of war, that war is a natural human activity, because war is a social activity and man for him was not a social animal. As humans came together, unnaturally for Rousseau, they made war. The root cause of early wars, before firm states were formed, was the inequality of human possessions. The rich wanted more and the poor wanted

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something. These wars were, for Rousseau, informal and unorganized mob activities, not infrequently carried on by gangs of bandits. Later unequal states forced the masses of men to war on one another. All citizens in Rousseau's state are torn between law and order in the state and the violence that international disorder brings. Rousseau gave humans no way out of the dilemma. Peace would come only occasionally as a unilateral and temporary measure. The citizen would eternally be required to serve the state at the will and pleasure of his sovereign.⁸²

During 1745 an anonymously written work, *A Plan for Establishing a National Militia in Great Britain, Ireland, and in all the British Dominions of America*,⁸³ appeared on both sides of the Atlantic Ocean. The author strongly advocated the re-enactment of the long dormant militia law and the reinvigoration of the militia. The militia was to be comprised of "all men capable of bearing arms, from the age of eighteen to that of fifty years; except such as may be exempted by law." He urged that all citizen-soldiers be treated with compassion and dignity. "In a right institution of this kind no military tyranny ought to be practised." Noting the traditionally brutal discipline of the armed forces, he urged that "No corporal punishment should be inflicted, but all military discipline encouraged by example and rewards, or enforced by pecuniary fines." He extolled the virtues of a militia, claiming that "nine of the greatest military exploits recorded in history were performed by well trained militia." The militia performed best when "divided into two branches, viz., the superior military composed altogether of men of property, and the subordinate militia of the common people." The propertied classes could form mounted troops while the common folk would serve in the infantry. He urged popular election of officers, and, with

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Jeffersonian confidence in the people, believed that they would select the best of the numbers to fill these positions.

By 1740 the English standing army had been increased in size. The author expressed concern over two practices: maintenance of the standing New Model Army; and the growing use of hired mercenary troops. The author believed that the revival of a national militia would have a positive effect on national morale and unity.

The profession of a soldier, like all other arts, has its craft, pretending that military discipline is to be acquired only by long practice; but general experience vouches the contrary. Innumerable instances from ancient history, and many late examples, prove beyond all contradiction, that the essential parts of discipline may be learned very soon under a right direction. But supposing it is true . . . is there any time more urgent than the present, when we think it necessary to call in foreign assistance [mercenaries] against invasion? Is the safety, the very being, of this great and mighty nation, to depend upon an handful of auxiliaries, and perhaps an untrained rabble when it might become invincible by arming all the people of property? Who are so capable of defending the national wealth as those who have the largest share? . . . Neither riches or populousness are able to give security to a nation untrained to arms. . . . [W]henever they become a distinct body of mercenaries, making the profession of arms the only means of subsistence, their interest is opposite to that of the people in general [T]heir pay is at best a grievous burthen [burden] upon public industry.⁸⁴

The militia in this plan was to train fourteen days a year, a substantial reduction from the thirty days required under feudal law. A militia was especially desirable as the basis of military organization in North America. The author expressed hope that a militia law

may extend to every part of the British dominion, where it is practicable; more especially to our Provinces and great cities of North America, situated near a restless, enterprising neighbor [New France], now at enmity, whose

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interest it is to subdue, by fraud or force, all those countries lying between his dominion and the sea. . . . For preventing therefore such fatal incroachments on the British dominions no means can be so effectual as the establishment of a general militia, well trained to arms in those Provinces, where the governor of each may be invested with the same powers which are exercised by the lords-lieutenants of counties of this Kingdom.⁸⁵

On the very eve of the American Revolution, James Burgh (1714-1775) returned to the classic Machiavellian theory. His writings were owned by many prominent American political philosophers, including Thomas Jefferson and John Adams. Burgh contrasted citizen-soldiers and a mercenary army in his *Political Disquisitions*:

There is no end to observations on the difference between the measures likely to be pursued by a minister backed by a standing army and those of a court awed by the fear of an armed people . . . No kingdom can be secured otherwise than by the arming of the people. The possession of arms in the distinction between a freeman and a slave. He who has nothing and who belongs to another must be defended by him whose property he is and needs no arms. . . . A militia consisting of any others than the men of property in a country is no militia, but a mongrel army. . . . If a militia be not upon a right foot . . . the liberty of the people must perish.⁸⁶

Matthew Rokeby (1713-1800) had likewise observed the tie colonists had established "all democratical governments where the power is in the hands of the people and where there is not the least difficulty or jealousy about putting arms into the hands of every man in the country."⁸⁷

Writing after the war was over, English political commentator Richard Price observed that,

"Free States ought to be bodies of armed citizens, well regulated and well disciplined and always ready to turn out . . . Such, if I am rightly informed are the citizens of America . . . hardy yeomen, all nearly on a level, trained to arms and instructed in their rights." In contrast, British citizens who are far less free, have a political system "consisting as it does . . . of unarmed inhabitants and threatened" by tyrannical governors and by foreign ene-

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mies.⁸⁸

William Blackstone (1723-1780), in his *Commentaries* on England's laws, written on the very eve of the American Revolution, listed the right to bear arms for self defense as an auxiliary right of the individual. Blackstone wrote,

The fifth and last auxiliary right of the subject that I shall at present mention is that of having arms for their defense, suitable to their condition and degree, and such as are allowed by law. [It] is indeed a public allowance, with due restrictions, of the natural right of resistance and self-preservation when the sanctions of society and laws are found insufficient to restrain the violence of oppression. In these several articles consist the rights, or, as they are frequently terms, liberties of Englishmen.⁸⁹

Algernon Sidney, in writing of the militia, noted that "every man is armed."⁹⁰ It would be difficult to read Richard Price⁹¹ without appreciating his perspective on both rights, i.e., of the people to have a militia, and the individual to bear arms. The culmination of the English republican thought was the Bill of Rights. At least one authority believed that the English Bill of Rights conferred the right to bear arms on the individual.⁹²

American political theory had many European roots. No viable political thought is merely the sum of its sources. Neither is political thought bounded or circumscribed by its antecedents. Few philosophers in any field accept an entire system from past. Philosophers take ideas that they like and use them as they see fit.

Alexis de Tocqueville, the French political philosopher, travelled extensively through America and was an honored foreign visitor. He observed, and developed a strong preference for, the militia system of military organization. He liked the democratic organization of the militia which avoided "blind, minute, submissive and invariable obedience" that marred

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standing armies. He hoped that democracy would always mark our militia system because to allow greater authoritarianism would be to deprive the militia of "its natural advantages."⁹³

Few Americans owed more to a European precursor than Thomas Jefferson owed to John Locke. Jefferson was very close to Locke in many of his views. Jefferson rejected the residual absolutism in John Lock's thought. Locke was silent on the major points of revolution while Jefferson had no trouble accepting revolution. When Jefferson paraphrased Locke on rights in the Declaration of Independence he chose to alter the examples Locke had given. Locke mentioned, "life, liberty and property" whereas Jefferson noted, "life, liberty and the pursuit of happiness." Jefferson took what he liked from Locke and ignored Locke on points where he disagreed with him.

Many, but not all, European radical republicans accepted the notion of a citizen-army instead of a standing army as the first line of defense of the state. Some, but not all, radical republicans supported an individual right to keep and bear arms. Apparently, all those who defended the idea of an individual right to keep and bear arms also placed their trust in the militia system, although the reverse is not always true.

That some of the Founding Fathers believed in the right of the individual to keep and bear arms has been shown, above. It is certainly not true, and no one has claimed, that all the Founding Fathers supported either the total militia system or the individual right to keep and bear arms. Some American republicans supported the militia system without supporting an individual right to keep and bear arms. Few, especially in the South, would have cared to arm slaves or indentured servants. In time the right to bear arms would become more distributed.

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Machiavelli

Niccolo Machiavelli (1469-1527) was the father of the idea of the citizen-soldier as the best and principal defense of the democratic state against all enemies, foreign or domestic. All western liberal thought respecting the militia as the main defense of the state may be traced back to him. Machiavelli was also the father of political realism. He set down the observations he had made on politics during his years of active participation in the government of Florence. He drew heavily on history to provide examples of points he wished to make. History was a source of valuable lessons if only we chose to find, understand and profit from them.

Niccolo Machiavelli was the son of a Florentine lawyer, an educated man of modest means who held a minor post in the government. Niccolo had a common education and proved to be a superior student with a highly perceptive mind. Livy, the Roman historian, was his favorite subject of study. The young Machiavelli embarked on a program of legal studies, but apparently did not complete his law degree. He took little notice of many of the great events of his time, such as the discovery of the New World, or Renaissance arts. Politics and history were his consuming passion, his entire life's study.

It is hard to fit Machiavelli into one or two categories. He published and had performed several dramas, one of which had some literary merit. *Mandragola*⁹⁴ is still performed occasionally and remains in print. He was a philosopher with a

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bent (uncommon to philosophers) for the practical side of things. He was an historian of merit.

His *History of Florence*⁹⁵ remains a model of objective history for historians of all ages. It was the first history of merit and notice to have been written in Italian. It banished fables and other embellishments. It provided a smooth flowing narrative instead of just a chronology. Although he borrowed heavily from other authors and made mistakes of fact, the book was the best history written in Italy since Roman times. It argued that mercenary armies had been the shame and ruin of Italy. Paid troops were the result of a slothful people.

Machiavelli also produced a treatise on war, *L'arte della guerra*, in 1520.⁹⁶ There he expanded on themes drawn from both *The Discourses* and *The Prince*. From his place of retirement he sought to tell the active military commanders, present and future, how to win in battle. In *The Art of War* he argued that rich states come to enjoy the good life far too much. Their urban populations become soft. The city dwellers lose their martial virtues and the state declines. Too much wealth, as Plato had observed, makes for the easy life and the decay of the military. The farmers are less given over to the life of luxury. As long as they own their land, they will work it hard. Hard work produces sturdy citizens who make sturdy soldiers. Machiavelli's *Discourses* on Livy's *History of Rome* were meant to establish principles that are valid for all peoples and all times. He completed his commentaries on only the first three of Livy's history. He wrote as much for as yet unconceived republics as for his own times. He did not derive his political philosophy from history. Rather, he used historical incidents to support conclusions at which he had already arrived, largely in his life as a politician. Most of the examples he used in the *Discourses* were drawn straight from Livy, although we

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occasionally encounter bits of legend and myth, and an occasional example drawn from Polybius.

In the *Discourses* he argued, as he had in *The Prince*, that a citizen army was the best check on unrestrained military, and was to him the only effect the citizenry on evil impulses that drove tyrants, and with them nations, toward unjust wars.

The real wealth of the state is not found in its supply of precious metals; rather, it is found in a strong citizen-army. "Gold alone will not procure good soldiers, but good soldiers will always procure gold."⁹⁷

Machiavelli was also heavily involved in practical politics. In 1498 the Florentine *Dieci della Guerra*, the Council of Ten for War, appointed Machiavelli to the post of secretary to the Council, a post he held until 1512. In 1507 he persuaded the republican government to adopt a militia system instead of relying on a standing army as its primary military protection. He argued that a mercenary army was the worst of all kinds of standing armies. It could be bribed to change sides. No state dared to rely on mercenaries in times of crisis. The soldiers fought only for booty. In times of peace mercenaries became restless and were apt to commit outrages on the local populace. Citizen soldiers should be drawn from among the hardy peasants. These men already endured great hardship and were accustomed to long, hard work days. They fought for principle. Kept in good order and subjected to reasonable discipline, they were the best soldiers. These themes, developed early in his life, he repeated in his *Discourses* and *The Prince* after he was retired from politics.

In 1508 Machiavelli marched his newly formed militia to victory at Pisa. Sent on a diplomatic mission to France in 1510, Machiavelli visited Switzerland. The Swiss militia appealed to him. He urged that the Florentine militia be ordered along the

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lines of the Swiss militia. He dreamed of the day when Florence and all the other Italian cities would contribute to a greater Italian militia, just as the Swiss cantons contributed to the national Swiss militia.

In 1512, Pope Julius II, angry because Florence had not joined in his crusade against France, ordered the mercenaries of the Holy League to overthrow the Florentine republic and restore rule to the Medici family. This was to be the acid test of the citizen-army. But Fate had not dealt Machiavelli or Florence a winning hand this time. The militia was overwhelmed by the hordes of mercenaries and broke rank and fled before the Pope's superior forces at the Battle of Prato. Florence was defeated and occupied, the republic was crushed and the authoritarian rule of the Medici family was restored. Machiavelli lost his post in the government and his ideas were discredited.

Machiavelli was captured, and, with his usual diplomacy, attempted to reconcile with the Medici. His personal magnetism almost carried the day. Several youthful conspirators were captured and charged with plotting to overthrow the Medici and reestablish the republic. The Medici's secret police uncovered a list of supposed supporters and among the names was Niccolo Machiavelli. He was arrested and accused of plotting to restore the Republic, was tortured and fled into exile to the family's villa at San Casciano. Because he was not executed, he was suspect among the underground republicans.

During his last fifteen years of his life he was an outcast, rejected by both republicans and the dictator. It was during that bitter time that he did most of his writing. The militia had been discredited in practice, but Machiavelli continued to defend it in the theory that poured from his pen.⁹⁸

Machiavelli wrote *The Prince* in 1513, during the period

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in which he had fallen into disfavor in his native Florence. He owned a small property in the hills just outside the city. There he could look over his beloved city to which he dared not return, and whose politics he could never again influence by acts. It was during this period of involuntary retirement that he did most of his writing. Perhaps he could influence the course of Florentine politics through his writing, if only from the grave. Machiavelli thought to purchase his return to Florence. Having little money, he decided to dedicate a book to the Medicis. He began *The Discourses*, but progress was slow.

So he composed a separate book *The Prince* which actually contains most of the major ideas of the uncompleted *Discourses*. It took only a few months to turn out *The Prince*, but the usually decisive Machiavelli vacillated. By the time he decided to send it to the man to whom it was dedicated, Giuliano de' Medici, in 1516, Giuliano had died. Having decided to release the book, Machiavelli then decided not to waste the dedication on a dead man, so he rededicated it, this time to Lorenzo the Magnificent, Duke of Urbino. Whether Giuliano, had he lived, would have been moved by this peace offering is problematic; it did not move Lorenzo, who simply ignored its author. The book continued to circulate in manuscript form until it was finally published five years after its author's death.

In 1525 Charles V (1519-1556), the Holy Roman Emperor, defeated Francis I (1515-1547) of France. This defeat left Italy open for an attack by Spain and Germany. Florence, as a vassal of Rome, had been an ally of the French, and thus was open to rapine and plunder. Pope Clement VII greatly feared for himself and the Church, and so turned to Machiavelli. In 1526 the Medicis appointed Machiavelli as an inspector of the city's walls. As it was, the German Emperor

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passed by Florence and sacked the richer prize, Rome. Clement VIII was made prisoner. With his fall, support for the Medici disappeared. The republicans again reigned in Florence. Machiavelli applied for his old post as secretary to the Council of Ten for War, but he was suspect. The denial came on 10 June 1527 and doubtless hastened his death just twelve days later.

His modest intention of conveying an understanding of politics as it was, rather how we might wish it to be, was executed so well that he has become the prophet of a new age. He accomplished his mission so thoroughly that he brought the curse of politicians to his doorstep and the enmity of the Roman Catholic Church to his soul. The Holy Father placed all his works on the *Roman Index of Forbidden Books*, which meant that the faithful could not read them except under penalty of mortal sin. It may be that both church and state did not want commoners reading about what they practiced.

In the divided Italy in which Machiavelli lived the greatest need was for political union. Only a strong prince may accomplish that goal. Democracies do not unite a divided nation. That is the function of an heroic figure, a strong prince. He wrote *The Prince* in order to attract a type-forming hero who would unite the nation. Such men are born, not made. But great men can make great mistakes and *The Prince* would provide practical experience and guidance to help the king to avoid the main pitfalls of statesmanship. The past is the most reliable guide to the future and this a good king must understand. His lessons are the stories of history.

Wise men say, not without reason, that whoever wishes to foresee the future must consult the past; for human events ever resemble those of preceding times. This arises from the fact that they are produced by men

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who have been, and ever will be, animated by the same passions; and thus they must necessarily have the same results.⁹⁹

Nothing was more important, or central to, his political theory than the concept of the citizen-soldier. Successful states of the past had always relied heavily on a citizen-army, rather than on paid soldiers. He wrote extensively on the uses and value of a citizen-army and the militia. It would be difficult to say whether Machiavelli's emphasis on arms bearing by the general populace was given greater position because of the primacy of militia over a standing army or because it was such an important attribute of citizenship. As a recent scholar observed,

For Machiavelli, the most dependable protection against corruption was the economic independence of the citizen and his ability and willingness to become a warrior. From this developed a sociology of liberty that rested upon the role of arms in society; political conditions must allow the arming of all citizens; moral conditions must be such that all citizens would willingly fight for the republic; and economic conditions must provide the citizen-soldier a home and occupation outside the army. This theme relating arms and civic virtue, runs throughout Machiavelli, and from it emerged the belief that arms and a fully array of civic rights were inseparable. To deny arms to some men while allowing them to others was an intolerable denial of freedom. Machiavelli's belief [was] that arms were essential of liberty.¹⁰⁰

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It was best to have all able-bodied men serve in the militia. There was no advantage to having a smaller number of men in the militia. It was not a true militia unless it drew on all physically and mentally able male citizens. "The smallness of the number does not ever make them better soldiers in a country in which there are plenty of men," Machiavelli wrote, "without a doubt, it is much better to have a large number of them than a small number; indeed, where there is not a great number, it is impossible ever to have a good militia."¹⁰¹ He rejected the idea of a select militia which was based on religious tests, property or personal valuation, or political orientation.

The life and continued existence of the state was of the greatest concern to Machiavelli. If the state was to be defended by a citizen-militia, he had to consider the possibility that the citizens might use these arms against the state. Would its citizens have the potential for using weapons against, as well as for, the state? Would citizen-soldiers provide the best possible defense against both foreign and domestic enemies? He found that, by a considerable margin, the greater danger to the state lay in disarming the citizenry. It was the armed citizenry which kept republic "free and incorrupt."¹⁰² Machiavelli observed that the maintenance of arms by the general populace had kept Sparta free some 800 year and Rome free for 400 years. His study of history showed that disarmed peoples had lost their liberties in a matter of only a few decades. Civil disturbances among armed populace were few, "for men who are well disciplined will always be as cautious of violating the laws when they have arms in their hands as when they have not."¹⁰³

Machiavelli wished to arm the general populace in order to insure that any authoritarian government would not be

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permanent. After the nation-state is formed there would be precious little use for the prince. The people will then demand their rights as the architects of freedom. If the king continues to deny them their rights they would have the arms they need to successfully revolt.

Some rulers had built great fortresses to guard their persons and to protect them more from their people than from foreign enemies. They found that such castles were unable to afford protection from either. Static fortifications are nothing more than monuments to the stupidity of bad rulers. When rulers do not understand the hearts of their people they shut themselves up in fortresses. Rulers must understand that they must be active among their subjects, an impossibility if they seek refuge in their castles. Fortresses may be useful in defense, but only if they are manned by citizen-soldiers.

If subjects were tortured and ruined economically, they would nonetheless still obtain arms wherewith to resist the tyrant. If the tyrant should attempt to disarm them, they would obtain arms abroad or manufacture arms clandestinely. The condition of a subjected and despoiled people would give them the will to find weapons and to use them; or to fight bare-handed is necessary.¹⁰⁴

An independent state would necessarily always have an armed force of some sort. An army guarantees a state's independence. States as independent sovereign powers exist in a Hobbesian state of nature. Warfare of all states against all other states is the inevitable result. No international law or treaty can possibly maintain the peace. Only a free people, willing to fight for home and king, can protect national sovereignty. A state without an army is a dependency whose politics is controlled by an outside power.

Machiavelli assumed that all treaty arrangements were

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subject to the principle of autolimitation, that is, that treaties are scraps of paper that one can terminate at will. Sincere foreign diplomacy is a contradiction. Sincere and diplomacy are mutually exclusive terms. There is no international power of policeman to enforce treaties so states will use treaties only as long as they serve the national interest. It would not be reasonable for a state to obey an international treaty or law if the principles contained therein conflicted with the best interests of the nation.

The question that any state must answer, then, is not whether it would have an armed force, but what kind of force it would be: citizen-warrior or mercenary. Both would have to be deployed at some training during the interludes between foreign wars. After the training was completed, what would be the position of each? The good prince or other governor must always control his military.

[The] armed forces must be under the control either of a prince or a republic. A prince must take personal command of his forces; a republic must appoint commanders from among its own citizens. . . . Experience shows that only armed princes and armed republics make notable advances and mercenary troops bring nothing but woes. A republic guarded by its own citizen army is far less apt to be subjugated by one of its own citizens than a republic armed with forces not its own.¹⁰⁵

Citizens who are otherwise traditionally employed need only to be disciplined occasionally. Machiavelli observed that during Rome's glory years, "there was never any soldier who made war his only occupation." He argued that "a good man [would] not make war his only profession" and a wise prince would not permit it in his kingdom.¹⁰⁶ He thought it was appropriate to muster them on various public holidays when they would not ordinarily be preoccupied in their normal employment. When called upon to fight they would do so

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willingly and with great fervor for they had their own liberties and property to defend. They fought for principle and national honor and are motivated by only the most noble of desires. They would not run when confronted by a seemingly superior force. They would stand against any and all odds because of the nobility of their cause and the sentiments they held.

Mercenaries are employed by real or potential tyrants. They know no occupation other than making war. "Evils are caused by men who make mercenary war fare their sole occupation," Machiavelli wrote, "You must know the proverb: 'War makes thieves and peace hangs them.'"¹⁰⁷ It peacetime they serve absolutely no useful function in a democratic state. Their very presence foreshadows nothing good. They look for war and love the long war more than the short and the peace as a means to the next war. They hone their skills by exploiting and oppressing the people. They become parasites on the people, sucking out their life blood. They take food and molest the women and seek housing in the homes of the people. A loss by a mercenary or standing army meant only a temporary inconvenience. Indeed, professionals, and especially that portion of them who were pure mercenaries, might be reemployed by an invader as occupation troops or as agents of the invader. They had no principles and were restrained by no moral sentiments. They looked for loot. They were best known for rapine and terrorism. They would look at the native peoples as a source of food, women and booty. As Machiavelli wrote,

I say therefore that the armed forces with which a prince defends his position of power are either his own or mercenary troops, auxiliary or composite. Mercenary soldiers and auxiliaries are dangerous and useless; and if the prince bases his state on mercenary troops, he will never be firm nor secure in his position. For these troops are disunited, ambitious,

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without discipline, and unfaithful. Strong among their friends, among enemies treacherous, they know neither fear of God nor fidelity toward men. The ruin they inevitably bring is deferred only so long as battle is put off. In peace one is despoiled by them as in war he is despoiled by an enemy. The reason for this is clear. They have no other attachment nor any other reason to keep them in the field than a meager pay When war comes they either flee or desert [T]he havoc which prevails in Italy today is due to no other cause than the fact that for many years it has relied on mercenary troops.¹⁰⁸

Troops borrowed or rented from another prince or republic are even worse than mercenaries. Machiavelli called these armed men on loan, "auxiliary troops." Of them he wrote,

Auxiliary troops, the second of the kinds which we have called useless, are those obtained by appealing to some strong prince for aid Anyone, consequently, who does not want military victory, should turn to troops of this kind, for they are much more dangerous than even mercenaries. The source of the ruin they bring is this: they constitute a united force, but wholly obedient to others than yourself. . . . [I]t is cowardice which makes mercenary troops dangerous, but their very strength constitutes a peril in auxiliaries. A wise prince, consequently, has always avoided recourse to this kind of troops, relying rather on his own men.¹⁰⁹

If a citizen army were to be defeated the citizens would be disarmed and they would lose their rank and privileges. Their freedom would disappear. They and their families might be enslaved. They would be brutally treated in a way unique to a defeated, occupied nation. If they won their freedom and rights would be secured. A well-governed commonwealth "should take care that this art of war should be practiced in time of peace only as an exercise, and in time of war only out of necessity."¹¹⁰

Selection of commanders is important. No commander should have too much authority over his men. Commanders

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should be chosen for their natural leadership qualities. It is preferable that the commanders not come from the same area as their men. It is imperative that commanders have natural leadership characteristics. They must be brave themselves and share the hardships and lifestyle of their soldiers. There must be a clear chain of command. Each soldier and officer must know his charges, rights, duties, responsibilities and obligations. He must know over whom he has command and from whom he receives his own orders.¹¹¹

While discipline was important, Machiavelli did not wish to compel any one to serve in the militia or in wars. His commentary on republican Rome contained the notation that it did not compel its citizens to serve. Julius Caesar destroyed liberty in the republic by creating a professional army which was no longer under the control of the citizenry. Wars of aggression had been checked by the refusal of the citizens to serve in unjust wars. This popular control was lost when the professional army became the mainstay of the nation. Wars of conquest brought masses of slaves from abroad and undermined the economic liberty of the Romans. Loss of political liberty followed the loss of economic liberty. Loss of economic and political liberty was followed by a breakdown of civic virtue and morality. All of this translated to a loss on citizen control over their future. As Machiavelli wrote,

If a city be armed and disciplined as Rome was, and all of its citizens alike in their private and official capacity, have a chance to put alike their virtue and the power of fortune to the test of experience, it will be found that always and in all circumstances they will be of the same mind and will maintain their dignity in the same way. But, then they are not familiar with

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arms and merely trust to the whim of fortune, not to their own virtue, they will change with the changes of fortune.¹¹²

Military activity produces good citizenship. It buttresses religion and family values. Citizen-soldiers acquired a spirit of cooperation and of sense of community. They learn to be loyal, to fear God, and to demand peace and order in the state. They despise civil disorder and social conflict. The decline of civic virtue can be traced to a decline in the militia. Whether true or untrue, Machiavelli claimed that crime was all but unknown when Rome depended upon its militia.¹¹³ No mercenary army can ever capture the virtue of a citizen army.¹¹⁴

The ancient lawgivers and governors of kingdoms and republics took great care to inspire all their subjects -- but particularly with their soldiers -- with fidelity, love of peace, and fear of God. For who ought to be more faithful than a man entrusted with the safety of his country and sworn to defend it with the last drop of his blood? Who ought to be the founder of peace than those suffering from nothing but war? Who are under greater obligations to worship God than soldiers, daily exposed to innumerable dangers . . . ?¹¹⁵

A good war, now and then, keeps an army in shape. Even citizen-soldiers who are accustomed to hard work need the diversion war brings on occasion. All armies must flex their martial muscles just to keep fit. Rome was trim and fit so long as there were wars to occupy the peasants. When the gates of the Temple of Mars were closed for prolonged period the martial spirit was lost.

Machiavelli believed in strong martial discipline. It should be backed by rigid military law. He drew heavily on the Roman experience. Severe discipline produce hardy soldiers who had a sense of responsibility and of duty. Harsh discipline

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created respect for the state and its institutions. He preferred to have the militiamen themselves administer discipline. All men in a militia company were to witness punishment. A well drilled and disciplined army was unlikely to retreat, break ranks or disobey orders.¹¹⁶

There was much to commend in cavalry and in the various specialties, such as artillery, but the real strength of a state was in its infantry. It was the very nerve and foundation of the military establishment. Citizen-soldiers with pikes and bows could negate any advantage that even the best cavalry could offer. Create a strong infantry of citizen-soldiers and the future of the state was secure.¹¹⁷

Hunting is a useful recreational activity according to Machiavelli. No peacetime activity is as beneficial to the citizen-soldier. Machiavelli tells of the centaur Chiron was the legendary tutor of ancient kings. He learned the art of the hunt from the gods themselves. Hunting is an imitation of war. It demands that the hunter know various strategies to trap and kill wily animals. The hunter must be in excellent physical shape because he practices his art in all kinds of weather and in inhospitable terrain. He learns how to conceal himself and become one with nature. He must master his weapons.¹¹⁸

History runs in cycles. There is an inevitability factor in history caused not by God or Fate, but by the nature of humankind. As Machiavelli wrote,

Valor produces peace; peace, repose; repose, disorder; disorder ruin. From disorder, order springs; from order, valor; and from this, glory and good fortune. Hence, wise men have observed that the age of literary excellence is subsequent to that of distinction in arms; and that . . . great warriors are produced before philosophers.¹¹⁹

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Machiavelli did not advocate an utopian society devoid of socio-political distinctions. Class distinctions existed and class membership would be determined according to the classes of weapons which the individuals possessed. This had been the case in republican Rome. Those denied arms possession would, in effect, be classless persons, without evidence of class standing or citizenship. Those who were denied ownership of, and access to, arms would be dependent on those who were armed.¹²⁰ It seems that Machiavelli did not anticipate that anyone would literally have to use his arms to force his way into ranked citizenship; rather, Machiavelli assumed that the fact that one was able to possess arms was proof positive that one had arrived at full citizenship status in one or another class in the republic. This was to become a recurrent theme in libertarian and classical liberal political theory, especially during the English Puritan Protectorate. The theme became a part of the Anti-federalist thought in the United States.

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Militias in History

Militias are found in history beginning before the first great collectivist states were created by military conquest in the Tigris, Euphrates, Nile, and Indus river valleys. Most early wars, as in Sumeria, were fought to gain control over trade routes, obtain precious metals or stones, or to steal the wealth from neighboring cities. Kings led a motley host into battle. The losers were killed, sacrificed to the gods or sold into slavery, whichever seemed to be most profitable.¹²¹ The decline of freedom and the rise of the collectivist state may be traced to the decline of militias and the rise of professional, especially mercenary, armies.

Assyria especially was one vast and substantial army. Its leaders saw government as the nationalization of force. Its

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contributions to civilization were almost exclusively military. Its tactics centered on the rapid movement of well equipped, highly disciplined and thoroughly trained troops. All adult men were trained in the use of one or more of the standard weapons: bows and arrows; lances; swords of all descriptions; slings and projectiles; maces and battle axes; and enormous shields and armor. The nation in arms was augmented by sappers and engineers, charioteers and cavalry. No people had developed the art of siege, with all its attendant equipment, to a higher state before Rome than had Assyria. Despite having developed the policy of deporting captive nations and levelling their cities, the army was constantly challenged by revolts and uprisings. The citizens were amply rewarded for their services by sharing in the spoils of defeated enemy and through a system of payment for each severed enemy head. The king maintained loyalty by warring frequently so that there was little time between each distribution of the spoils of war.¹²²

In Persia there standing army was composed exclusively of Medes and Persians, nobility all, numbering 2000 cavalry and 2000 heavy infantry. Behind this vanguard was the hodge-podge of peoples from every nation in the Persian empire, numbering 1,800,000 or more. Each nation was armed with its traditional weapons. In war time every able-bodied man between the ages of 15 and 50 years was required to report for duty. This vast number resembled a mob more closely than an army. There was little training. The Persians relied on numbers. Each time this great militia encountered a disciplined army which spoke one language and which obeyed one commander it was routed, as at Marathon and Platea.¹²³

The Greeks perfected the citizen-army. They based their army on the whole free population. The pride of the *polis*

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of Sparta was its army. All males were trained for war. All males between 20 and 60 served in the citizen army. The *hoplites* were heavy infantry who had been trained to service to the state since infancy. Spartan youths learned all the military skills long before they were inducted into the army. Most of all they learned courage. No Spartan could survive the humiliation of defeat. The best a young man might ask for was to die in battle. Service was a citizenship requirement. No soldier was paid. Sparta was an armed camp before it was anything else.¹²⁴

In Athens, pre-induction para-military training was an important feature of the pedagogy of youth. Athenian life was less militaristic than life in Sparta. Athenians were little given to military displays or constant drilling of troops, although the state certainly honored its military heroes. The army was a microcosm of society. The poor used bows, spears and slings. Those who could afford armor became heavy infantry. The wealthy who could afford horses filled the ranks of the cavalry. Even the navy was manned by citizen-soldiers, with the wealthiest citizens paying for the ships. In democratic times the army and the electorate were identical. Even the greatest Greek philosophers were proud of their militia service.¹²⁵

Roman Citizen-Soldiers

The early success of the Roman republic may be directly traced to the development of one of history's truly outstanding military organizations. Its collapse may be traced to the decline of the citizen-army in the late Roman empire. As historian Will Durant wrote, "the citizens and the army were one."¹²⁶ The army was not only the first line of protection of the state; it was the basic unit of republican government.

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Polybius argued that the Roman military system had produced a political system of mixed institutions which was "the best of all existing governments."¹²⁷ The system lasted from 508 until 49, B.C.

Called centuries, these five divisions of armed forces, based on weaponry, assembled as the principal law making body of the state. Each legion consisted of more than 5000 men: first class heavy infantry; second class infantry; third and fourth class infantry with no armor; and fifth class infantry armed only with slings. Each legion had multiple centuries, first of 100, later of 200, men. A legion may have also several hundred cavalry.

Roman military training began among the youth in camps dedicated to pre-induction instruction in skills useful to a soldier. The young were brought up acclimated to hardship and an austere life style. Their diet of grains and vegetables with little meat or fish prepared them to live off the land and with simple rations. They learned the importance of cooperation and lived under conditions of severe discipline. This stoic and spartan education prepared the youth to expand and to defend that which Rome claimed as its own.

Before 405, B.C., the Roman soldier served because it was his duty to do so, and received no pay. The army performed both military duties and civic action functions. It built bridges and the famous highway system, easing travel to distant parts of the empire. It helped to erect the famous aqueducts that brought more water to Rome per capita than most modern cities have. It mapped the known world. It established *Pax Romana* which allowed commerce to expand. Travel was easier and safer than at any point in history until the Twentieth Century.

Rome's greatest challenge came from Carthage and

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resulted in a war unto death, divided into three periods with a rest time in between, and known as the first, second and third "Punic Wars." As Durant observed Rome's victories in the First Punic War proved "the superiority of an army composed of free men over mercenaries seeking the greatest booty for the least blood."¹²⁸ After the first Punic War, the Carthaginians failed to pay their general Hamilcar's mercenaries. The mercenaries rioted, laid siege to the city and sacked the surrounding area. Hamilcar raised a citizen army, raised the siege, crushed the revolt, and executed the leaders.¹²⁹

Hannibal formed the Carthaginian army in the Second Punic War in 218, B.C., with only citizen-soldiers. His united command of Carthaginians, Spaniards, Libyans, and later some Gauls and anti-Roman Italians, numbered 50,000 infantry and 9000 cavalry initially. Rome raised a new citizen army of 300,000 infantry, 14,000 cavalry, and a reserve force of unenrolled militia numbering 456,000. Hannibal's army proved to be superior to Hamilcar's mercenaries and he ravaged the Italian peninsula for more than a decade. After Hannibal inflicted on Rome a series of humiliating defeats it issued a call to every male who might bear arms, slave, servant, foreign or free citizen, to repel the invader. As a true citizen-army not a man accepted pay for service in the campaign. Denied supplies, reinforcements and support from Carthage, Hannibal had been unable to win a final and decisive victory. Rome pressured Carthage itself and Hannibal withdrew to defend the home land. He suffered his first military defeat at Zama, in 202, B.C., with an army consisting primarily of mercenaries.

After Rome defeated Carthage in the Second Punic war, Rome demanded that Carthage disarm its people and destroy its weapons as a sign that it was willing to live under *Pax Romana*. The end result was the destruction of Carthage. In

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151, B.C., Rome again declared war on Carthage. The unprepared Carthaginians sued immediately for peace. Rome demanded that all remaining tools of war be destroyed and that 300 children of the ruling class be sent to Rome as hostages. But Rome was not prepared to honor its initial guarantee of Carthaginian territorial integrity. Its fleet had already sailed, under orders to destroy Carthage. Rome demanded that the Carthaginians surrender their city and withdraw from it so that Rome might put it to the torch.

When the Carthaginian diplomats returned from talks with the Romans and disclosed Roman demands, those leaders who had disarmed the populace were killed by mobs. New leaders put out a call for a new citizen army. In just two months the citizens made 18,000 swords, 30,000 spears, 60,000 catapults and missiles, and 120 ships. They stripped public buildings and temples and prepared for the Roman invasion. It was too little, too late. The city withstood a bitter siege, and when the walls were finally breached, fought a guerilla war street by street. Rome conquered the proud Carthaginians. Out of a pre-war population of more than 500,000 only 55,000 remained, to be sold as slaves after capitulation. The city was razed and the land sown with salt. No peace treaty was required because Carthage had disappeared from history.¹³⁰

By the end of the second century, B.C., the citizen army was disappearing rapidly. In 111, B.C., Sallustius, reporting on the war with Jugurtha, described an army composed of the urban poor. They fought less for state and principle than for booty, land and salves.¹³¹ In 102, B.C., Gaius Marius was forced to recruit mercenaries from among the city proletariat to repel an invasion of the Cimbri. These Teutonic peoples came in hordes and at Aix in Provence, the Roman army repelled

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them, reportedly killing 100,000.¹³² But the new army had no love for patrician Rome and it was unreliable because it fought only for booty and plunder.

When Rome fell it had fell, in part, because it had no citizen army. Its army was not a Roman army; it was composed, rather, of provincials and barbarians. These troops fought not for principle and home, but for money and plunder. They were classical mercenaries. These mercenaries attacked the rich cities of the empire more frequently than they fought the enemies without. The slaves and poor landless peasants who joined the army out of economic necessity had no love for the rich oligarchs of Rome. Frequently, when the barbarians entered provincial towns, they found the Roman army had left them precious little to steal.

The new military situation changed the political scene. Frontier town became sovereign regional capitals that paid little or no attention to Rome. During the reign of Gallienus, there were no less than thirty generals of the Roman army who had established and claimed hegemony over regions of the empire.¹³³

Other Militias

In the Fifteenth Century Akbar the Great of India established a simple military system. He maintained a standing army of 25,000 men. Each province under his control maintained a small standing army and a militia consisting of all able-bodied men. In the time of war the state might swell the ranks of its army with provincial professionals, and, if necessary, the great militia.¹³⁴

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The European Militia

We will look at some of the major features of the militias of France and England in this section. We are not attempting to offer a history of militias in these two nations. We are looking for features of these militias that will help us in understanding the development and importance of the concept of militia. The militia of England had greater importance than that of France. As a land, rather than sea power, France depended heavily on a standing army. Since the situation was reversed in England, it used a militia to reduce the size of its standing army. The militia also became a pawn in the struggles between King and parliament in Seventeenth Century England. The citizens' militia was an important factor in the French Revolution.

Feudal Militia Law

Most experts agree that feudalism had come into existence as a response to Norse raids and invasions in both England and France. It was essentially a military arrangement brought on by necessity. Thus, military obligations were of greatest concern and paramount importance under feudal law. Those charged with military responsibilities were second in power and influence only to the clergy. Common people had little choice but to accept canon law to save their souls and military rule to save their lives. Without both of these powers neither the cultural heritage nor the people would have survived the challenge that the barbarians posed to their civilization.

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Under medieval feudal law there was a complex arrangement established between lord and vassal. The vassal had a personal obligation to the lord and he was tenant of the land that ultimately came under the lord's control. The vassal who occupied land that belonged to his liege lord was bound in obligation to perform a certain measure of military service to the lord. In order to best and effectively fulfill this obligation the lord divided the land into districts ["knight's fees"], each of which was to provide a set number of mounted knights and lesser military personnel. The maintenance of a standing army sufficient in size and armament to meet the obligation would have bankrupted the vassal. The formal or enrolled militia system was the arrangement that was most logical and economical. The obligation to provide arms and armed force was merely passed down from vassal lords to subjects.

In England the obligation of knight fees remained until 1660 when it was finally formally abolished by law. Because the mounted knight had actually been surpassed as an instrument of war once the iron suit for man and horse had become too cumbersome for comfort and operation, and because the long bow had rendered the knight obsolete, the medieval obligation had been an anachronism for over four hundred years by the time the law was actually repealed.

The English Militia

Early English law said little about the right of freemen to keep and bear arms. Most laws we can discover are based on the assumption that freemen have arms and carry them as a right and as an obligation. Ethelbert, King of Kent, in 602, issued a proclamation that provided a penalty for disarming a man, and also levied a fine if any man armed another during a

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quarrel.¹³⁵ Eadric, also a King of Kent, c.650, ordered that weapons were not to be misused while under the influence of alcohol.¹³⁶ King Ine (reigned 688-94) ordered that no man was to draw his weapon in a public place with the intention of frightening his subjects.¹³⁷ King Cnut (reigned 1020-23) promulgated a law that provided a penalty for illegally disarming a freeman.¹³⁸

Under the laws of Alfred the Great (c.872) all English citizens, from lowest freeman to the highest aristocracy, were obliged to serve in the militia. Peasants served in the fyrd, or great militia. All had to provide their own weapons. There were certain limitations on the use of the unenrolled fyrd, such as on the length of service, or on availability to plant and harvest crops. Some of the masses were singled out for special and additional training. This select militia was known as the enrolled or select fyrd.¹³⁹ Alfred provided a penalty for misusing a militia weapon while drinking, even if no harm was done.¹⁴⁰ In 1154 Henry II allowed men to pay scutage to avoid militia service.¹⁴¹

The Norman Conquest brought hard times for the Anglo-Saxon population. Their rights were denied and they were excluded from government and governmental offices. Still, the right and duty to keep and bear arms in defense of state remained basically intact and unchanged. The Assize of Arms of 1181 was the basic militia law of England. The whole community of freemen was recruited into the militia. They were still required to provide and maintain arms as suited their socio-economic class and status. All freemen between the ages of 18 and 40 were members of the great fyrd, or unenrolled militia. The government determined what weapons were appropriate and the freeman had no choice in the selection of his weapon. Twice a year the government

inspected the freemen's arms to make certain the weapons were present and in good working order.¹⁴²

In 1181 King Henry II promulgated the Assize of Arms, which provided that "the whole body of freemen [are to] have quilted doublets and a headpiece of iron and a lance." These were the minimum arms of the great militia. Freemen with a rent income of 16 marks or more were to have "a hauberk, a helmet, a shield and a lance." Those who "will possess these arms . . . will bear allegiance to the lord king, Henry . . . [and] will bear these arms in his service according to his order and in allegiance to the lord king and his realm." Knights were to own "a helmet, a shield and a lance." When a freeman died "his arms remain for his heir." If the freeman has no male heir, the administrator of the estate was to "find a man who can use them in the service of our lord king . . . and let him have them." Any burgess or other public official "who has more arms that he ought to have" was ordered to "sell them or give them away or otherwise bestow them on such a man as will retain them for the service of the lord king of England." The king emphasized, "let none of them keep more arms than he ought to have." Jews were forbidden to keep arms, but were to dispose of them to one who would serve the king. The law provided a penalty for selling or "carry[ing] arms out of England except by the order of the lord king."¹⁴³

Henry II of the House of Plantagenet (reigned 1154-1189) issued The Assize of the Forest in 1184. He forbade the possession of bows and other tools of the hunt, and the gathering of wood, and the pasturing of peasant's cattle, in the king's forest. The Assize did nothing to restrict the bearing of arms for militia practice, defense, or hunting in other forests.¹⁴⁴

The *Statuta Armourum* of uncertain date and origin regulated jousting tournaments, and ordered that spectators were not to be armed to prevent violence among the partisans in the crowd. Again, it did nothing to interfere with militia obligations

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or the legitimate use of arms.¹⁴⁵

The *Magna Charta* (1215) contained a clause that provided that if the king did not keep the promises made in that document he might be corrected by force of arms. This was the first statement to claim for the people the right of revolution to enforce their rights in the laws of England.¹⁴⁶

King Henry III (1216-1272) decreed that the militiamen of the unenrolled fyrd should possess "arms according to their possessions in land and chattels."¹⁴⁷ The fyrd was defined as that "principle that able-bodied freemen were liable to military service, whether or not vassals of the king."¹⁴⁸ The obligation that English militia law established had three parts. First, the fyrd had a specific obligation to the king consequent to their oath of loyalty to him. In the Tenth Century the fyrd "was not satisfied unless the king was there." Second, the fyrd was obliged to resist invasions of their home area, whether or not the king was present, and whether or not led by professional soldiers. Third, the fyrd was required to assist the sheriff and other law enforcement officers in maintaining the peace.¹⁴⁹

In 1253, King Henry III promulgated a second Assize of Arms was enacted. The serfs, referred to as *villeins* in the law, were required to keep and bear arms, joining the ranks of freemen in the unenrolled or great fyrd. The age bracket for service was also substantially expanded, covering men between ages 15 and 60 years. "Able bodied freemen were liable for military service, whether or not vassals of the king."¹⁵⁰

King Edward I (reigned 1272-1307) promulgated the Statute of Winchester (1285) which required military and civic action of the great militia. Edward required semi-annual review of the great militia. The officers of the law were to check each man's weapons to ascertain that each man had the

minimum equipment required by the law and that the arms were in good order. Edward also reissued orders to the great militia to assist the sheriff in suppressing criminal activity in the land and in apprehending robbers, murderers, rapists and others. The great militia was to help clear the highway of obstacles and brush behind which robbers might hide. The statute reads in part,

It is commanded that every Man have in his house Harness for to keep the Peace after the ancient Assize [Assize of Arms] that is to say, Every Man between 15 years of age, and 60 years, shall be assessed and sword to Armour, according to the quantity of their lands and Goods . . . And that View of the Armour be made every year two times. And in every Hundred and Franchise two Constables shall be chosen to make View of Armour. . . .

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The long bow represented the first major improvement in weaponry available to the common soldier in the late Middle Age. According to tradition, it had been developed in Wales in the Thirteenth Century, as a superior weapon for hunting wild animals. The length of the bow corresponded to the height of the archer. In 1285 Edward I, recognizing the advance of technology, ordered that anyone who could afford long bows ought to keep one in his home.¹⁵²

There were several medieval statutes issued, designed to place certain, reasonable limitations on bearing arms. Ethelbert ordered that no man was to arm another during a quarrel, so as to increase injury of violence.¹⁵³ The laws of Ine (688-694) provided a penalty for anyone who drew his weapon in a public place with the intention of causing a public disturbance.¹⁵⁴ And the laws of Edward III issued in 1328, commonly known as the Statute of Northampton, forbade individuals to ride armed in the darkness or to carry weapons in public places, with an intent to do harm or threaten others.¹⁵⁵ What these laws suggest are that men were commonly

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armed and in general possession of weapons; and that kings had seen that there were reasonable limitations on bearing, but not keeping, arms that were to keep their subjects from being harmed or doing harm to others. When a people is armed, such minor limitations are superfluous.¹⁵⁶

At the decisive and important Battle of Crécy in 1346 Edward III and his citizen-soldiers with their long bows defeated Philip IV of France and his professional army. This more than any other battle ended the reign of the mounted, armored knight. The English yeomen with their long bows routed not only the mounted troops, but also the Genoese mercenaries who were armed with the crossbow. The crossbow was the arm of the rural English citizenry. The windlass equipped crossbow was the arm of a standing army and of professionals. The militiamen with their common weapon had defeated the professional soldiers armed with complex and expensive tools of the mercenary and of the rich.

There was a lesson to be learned at Crécy. Recruit the army from among the hardy farmers, serfs, and simple citizens of the kingdom. Train them with a simple weapon that nearly anyone can master. Encourage them to use the weapon for the hunt and for sport. Expect the best. In 1356 the English archers, armed with the longbow, defeated the French at Poitiers.

In 1313 Edward II (reigned 1307-1327) issued an edict that forbade men to enter Parliament armed. The law was designed only to maintain peace in the realm and had no bearing on the militia laws or the defensive use of arms.¹⁵⁷ Edward III (reigned 1327-1377) issued several edicts that restricted the use and carriage of arms in public. More importantly, the edicts limited to deployment of militia outside of a man's own shire. Unless there was an emergency the militia

was to be used only in local situations.

The will that no Man from henceforth shall be charged to arm himself, otherwise that he was ant in the time of his Progenitors, Kings of England; and that no Man be compelled to go out of his Shire, but where necessity requireth, and sudden coming of strange Enemies into the Realm; and then it shall be done as hath been used in times past for the defence of the Realm.¹⁵⁸

In 1369 the King ordered that the sheriffs of English towns and cities, including London, require that all citizen-soldiers on "leisure time on holidays" were to "use in their recreation bowes and arrows." They were not to use weapons that had no use in the militia, and were to avoid engaging in any other sports that might interfere with their practice with the longbow.¹⁵⁹ In 1415 at Agincourt the English militia, armed with the longbow, again defeated a supposedly superior French force.¹⁶⁰

In 1383 Richard II (reigned 1377-1399) restricted men from riding about the kingdom with certain weapons without just cause for being armed. In 1388 Richard ordered that farmers, yeomen and other commoners not go about the realm armed on Sundays.¹⁶¹ These laws show clearly that even commoners were armed in the Fourteenth Century.

In 1511 Henry VIII, not forgetting the lesson of the wars in France, limited carrying concealed, but not the possession of, or practice with, crossbows to those with property valued at 200 or more marks. He also admitted an exception for self defense. A person who "shote owt of a howse for the lawefull defens of the same" might use his longbow irrespective of his wealth. No one might carry any weapon with intent to disrupt the peace.¹⁶² In 1511 Henry VIII raised the property ownership qualification to 300 marks. He confused the issue by requiring all citizens to "use and exercyse shootyng in longbowes, and also to have a bowe and

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arrowes contynually. . . ." Fathers were mandated to train their sons in the use of the crossbow, beginning at age 7 and continuing through age 14.¹⁶³ In 1514 Henry VIII extended the restriction on carrying crossbows to include firearms.¹⁶⁴ In 1533 Henry VIII reduced the property qualification to 100 marks. In 1541 he limited private ownership of firearms by decreeing that some guns might not exceed a yard in length; and others not to exceed three-quarters of a yard in length. To confuse the issue even more, he repealed the whole set of laws.¹⁶⁵ The intent of Henry's laws can be seen in this extract. [I]t shall be lawful from henceforth to all gentlemen, yeomen . . . all Knights and Esquires, and Gentlemen and to all the inhabitants of cities, towns and market towns of this Realme of England to shoot with any handgun . . . at any butt or branche of earth only in a place convenient for the same . . . [I]t shall be lawful . . . to have and keep in every one of their houses any such handgun . . . of the length of three-quarters of a yard . . . to use and shoot the same . . . by exercise thereof in form may the better aid and assist to the defence of this realm. . . . And be it further enacted . . . that it shall be lawful to every person and persons which dwell and inhabit in any house . . . to keep and have in any said house for the only defense of the same handguns¹⁶⁶

British historian Charles Oman argued that the distribution of arms to all able bodied men except slaves and criminals prevented England from undergoing the worst excesses of political oppression. The militia as a reserve military force exercised a moderating force in English politics. Writing of Henry VIII, Oman observed, "More than once he had to restrain himself, when he discovered that the general feelings of his subjects was against him His 'gentlemen pensioners' and his yeomen of the guard were but a handful, and bills or bows were in every farm and cottage"¹⁶⁷

In 1572 Elizabeth I (reigned 1558-1603) issued the Instructions for General Muster to strengthen the militia in

England's time of troubles with Spain. Every able-bodied man over the age of 16 was to serve in the militia. Those who could supply a horse and appropriate equipment was to serve in the cavalry; the rest were to serve in companies of foot. The Elizabethan militia enrolled 130,000 men; and by 1623 the number had swelled to 160,000.¹⁶⁸ As a result of the Tudor legislation by the end of the Sixteenth Century a formally structured militia had emerged. The crown appointed lieutenants to discipline, order and train the militia. The weaponry remained uneven and was more frequently mediocre than good, reflecting the economic realities of times more than the nation's needs. The militia was rarely used, perhaps fortunately for England. The militiamen were little interested in being marched about, let alone disciplined. The officers had little good to say about the militia and worried that it might have to be used against the French and Spanish regular armies.¹⁶⁹

In 1637 the English trained bands had enrolled 88,000 footmen who mustered four times a year. There were about 5,000 cavalry.¹⁷⁰ Although the members of the bands were to supply their own arms, executive orders issued in the name of the king suggest that this was not always the case. In 1628 the King ordered that militiamen not trade in the king's arms, nor barter, trade or borrow arms and ammunition.¹⁷¹ The government considered re-introducing bows and arrows to the militia to stem the loss of firearms; and because bows were much less expensive than firearms. The plan failed because there were too few bow and arrow makers in the kingdom. There were still pikemen among regiments of foot militia and occasional lancers among the cavalry.¹⁷²

In the 1640s the King, Charles I (reigned 1625-49), clashed with Parliament over the control of the military organization of England. The first test occurred in 1639 when the king ordered his own troops, nobles and some of the

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trained bands to meet a threat from some Scottish Covenanters. The band refused to march. The military value of the trained bands at that time was debatable. Supposedly well trained militiamen hired substitutes who had little, if any, training. When called into service they paid upward of £12 for a replacement. The armament of the bands was suspect. The militiamen had little pride or interest in their arms.¹⁷³ An examination of the arms of one company from Kent showed the arms to be

very unserviceable, many of their muskets having no touch holes, and some others having them so large as one might turn one's thumb in them, and the pikes were so rotten as they were shaken, many of them [broke] all to pieces; some few of the muskets were reasonably good; the captain commending one of those muskets wished they had all been so good. Nay, sayeth the musketeer, my master sought to have found a worse musket, but he could find none in town, if he could, I should have it.¹⁷⁴

Charles favored a standing army and Parliament stood with the militia, called Trained Bands. In the debates of Parliament on 28 December 1642 Parliament resolved that, "no charter can be granted by the King to create a power or any corporation over the militia."¹⁷⁵ On May 17, 1642, the legislators resolved that, "for preventing and avoiding great mischief as may ensue, it is ordered and ordained by both Houses of Parliament" the Trained Bands were to be placed under legislative control.¹⁷⁶

On 27 May 1642 Charles issued a "Proclamation forbidding all His Majesty's Subjects, belonging to the Trained bands, or Militia, of this Kingdom to rise, march, muster or exercise" on his word. Parliament immediately countered this order, resolving that no militia was to act without the consent of Parliament.¹⁷⁷ Parliament defined the duty of the Trained

Bands. They were to "provide for necessity, to prevent imminent dangers and preserve the public peace and safety of the Kingdom."¹⁷⁸

In England Charles II (reigned 1660-1686) and his son James II (reigned 1686-1688) applied the Militia Act of 1662 to the private militias, known as trained bands. The Act centralized royal control over all militia units. He augmented the 1662 Act by utilizing some provisions of the Game Act of 1671.

The Stuarts declared that private militias were "dangerous to the peace of the Kingdom" and that the state was to "seize all arms in the custody or possession" of militiamen.¹⁷⁹ Charles II also promulgated an Act for the Better Preservation of the Game which for the first time in English history denied free born citizens their common law right to keep and bear arms other than archaic swords and daggers.¹⁸⁰ William Blackstone commented that the Game Law was really designed to "prevent popular insurrections and resistance to the government, by disarming the bulk of the people."¹⁸¹

Much of the Glorious Revolution centered on control over the national militia. James had armed his favorites and disarmed his enemies, whether real or imagined. The House of Commons reacted by expelling James II. James had armed Catholics so Parliament reacted by disarming Catholics and rearming Protestants.¹⁸² It also adopted several resolutions concerning the royal ban on non-governmental, or private, militias.¹⁸³

5. The Acts concerning the Militia are grievous
6. The raising or keeping a Standing Army . . . in time of Peace, unless it be with Consent of Parliament, is against the Law
7. It is necessary for the public Safety, that the Subjects which are Protestants, should provide and keep Arms for their common Defence: And that the Arms which have been seized, and taken from them, be restored . .

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The English Bill of Rights followed from the Declaration of Rights of 22 January 1689. One major consideration was the right of the people to keep and bear arms beyond the armament provided by the state in actual service to the state. The confiscation of, and control over, small arms of the Trained Bands was the major concern of the Parliament. Commons negotiated with the House of Lords on the phraseology of the guarantee to bear arms. Motivated, in part, by religious prejudices and considerations of historic class distinctions, Parliament, in the final draft of the Bill of Rights, provided, "The Subjects which are Protestants may have arms from their Defence, suitable to their Condition, and as allowed by Law."¹⁸⁴ One arms historian of this period, Dr. Joyce Lee Malcolm,¹⁸⁵ summed up the right to bear arms in England before 1689 in these words,

[T]he right to bear arms had not been included in Magna Charta, the Petition of Rights, or any compilation of the rights of English subjects before 1689 because until the Civil War it had been taken for granted, and until the Restoration it had never been challenged. It had required the actual loss of that privilege to convince Englishmen, in particular the governing class, how essential it was to the preservation of . . . the English system of government.

In 1780 the Recorder of London, a justice of the Court of Oyer and Terminer, and chief interpreter of the law for the city, was asked to determine the scope and nature of the right to keep and bear arms under the English Bill of Rights.¹⁸⁶ The Recorder issued a long and complex opinion, part of which reads,

It is a matter of some difficulty to define the precise limits and extent of the rights of the people of this realm to bear arms and to instruct themselves in the use of them, *collectively*; and much more so to point out

all the acts of that kind, which would be illegal or doubtful in their nature.

The right of His Majesty's Protestant subjects, to have arms for their own defence, and to use them for lawful purposes, is most clear and undeniable. It seems, indeed, to be considered, by the ancient laws of this kingdom, not only as a *right*, but as a *duty*, for all the subjects of the realm, who are able to bear arms, are bound to be ready, at all times, to assist the sheriff, and other civil magistrates, in the execution of the laws and the preservation of the public peace. And that this right, which every Protestant most unquestionably possesses *individually*, may, and in many cases, must, be exercised collectively is likewise a point which I conceive to be most clearly established by the authority of judicial decisions and ancient acts of Parliament, as well as by reason and common sense.

From this proposition, that the possession and the use of arms, to certain purposes, is lawful, it seems to follow, of necessary consequence, that it cannot be unlawful *to learn to use them* (for such lawful purposes) with *safety and effect* . . . and, by the same mode of reasoning, from the right of using arms, in some cases, collectively and *in bodies*, follows the right of being used collectively, as well as individually, *instructed* in the use of them, if it be true, which I apprehend it most clearly is, that the safe and effectual use of arms in collective bodies cannot be taught to separate individuals.¹⁸⁷

William Blackstone noted in his *Commentaries* that tyrants attempt to prevent popular insurrections and resistance to tyranny by disarming the people.¹⁸⁸ He also referred to the right to have and use arms in defense of home, family and self as "an absolute right of the individual."¹⁸⁹ Coke argued that one is permitted under English common law to repel force with force and that one is permitted to take up arms to resist an armed adversary. Coke also noted that the common law seems to permit a person to arm himself for many legitimate purposes.

The English militia was never intended for deployment outside the realm. It was a home guard and last ditch defensive force. It remained active into the Eighteenth Century for two reasons. First, it cut the cost of an army in a nation already burdened by the costs of a navy. England was not

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easily invaded so it could make do on the homefront with less of a force than was required on the Continent. Second, the militia was a sacred symbol to the Whigs. They had defended it strongly in their literature and so was most reluctant to see it abolished.

French Militias

Kings in the post-Roman world by the Seventh Century had come to depend on the citizen-militias, known as *fyrð*, to provide the bulk of the troops during times of emergency. The law required the peasants to supply their own weapons at their expense. Despite the usefulness of the citizenry in the great militia, during the reign of Karl I (768-814), best known by the Latin name of Charlemagne, emperor of the Franks, famine struck the land. Charlemagne ordered that all the people's weapons -- pikes, swords, bows and arrows -- be confiscated. His rationale was that the disarmed people could not raid the state owned granaries. This only served to exacerbate the situation since the disarmed populace could not hunt and supplement their meager rations with wild game.

Few continental European nations allowed the peasants to keep and bear arms. Most of those monarchs regarded the peasants as beasts who were ripe for rebellion. Arm the peasants and revolution ensues. Besides, it was morally wrong to have a military situation in which a mere peasant might unhorse and even kill a member of the nobility. The continental royalty especially despised the equality that was necessarily the case on the battlefield. In France there was the *arriereban*, the equivalent of the unenrolled *fyrð*. It was rarely trained, marched or disciplined; and the government rarely inspected the arms of the citizens. It was rarely used after the

Twelfth Century and its last recorded use was as a coastal defense force in the Seven Years War.¹⁹⁰

In 1439 Charles VII of France ordered that all private militias and trained bands of soldiers in the employ of various nobles and others should be disbanded. He gathered these men into his service and created the first continental standing army. He also decreed that local parishes should choose a few outstanding men of arms to become *francs-tireurs*, minutemen who would rapidly respond to the nation's call for soldiers. These men would be exempted from all monetary taxation since they would be paying their taxes in kind during training and instruction and in case of national emergency in actual service.¹⁹¹

During the prime ministership of Cardinal Richelieu, France embarked on a series of wars of territorial expansion. While the main French armies were occupied with Spain and the Germanies, Spanish and Imperial troops crossed the Netherlands and, in July and August 1636, captured Aix-la-Chapelle, and moved against Paris. But Richelieu had trained a citizen army and stored up arms for their use. The militia reserve marched on Corbie and, under Richelieu's personal command, relieved the siege of that city. The citizen-army drove the Hapsburg Imperial troops back into the Netherlands.¹⁹²

In 1789 the French army had between 160,000 and 178,000 men enrolled. The secondary militia added another 125,000 men. Enlistment was voluntary so that the ranks were swelled with the poor, the unemployed, and those escaping from the law. Officers were usually members of the impoverished nobility and many offices were hereditary. The army, like economy, had been weakened in the long struggles with England. The militia was of little use except as a reservoir upon which the army could draw in wartime. Training of the militia, nominally for a month each year, was poor and the

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troops may be regarded as under-trained and under-armed.

After the failed harvest of 1788 and the consequent famine 30,000 soldiers of the regular army were deployed in and around Paris. In July 1789 a new militia, the National Guard, some 12,000 strong, formed under Marquis de Lafayette. The authority for the formation of this militia is dubious. While it initially prevented rioting and looting in Paris, on 12 and 13 July, it was essentially unprepared to handle a prolonged emergency. On 14 July two of five battalions mutinied, joined the rioters in Paris, and participated in the siege of the Bastille.

In August 1790 troop desertion among the standing army reached serious proportions. A mutiny at Nancy was brutally suppressed by loyal units of the army under Marquis de Bouillé at the cost of 3000 French lives. By the end of 1790 the army had become so unreliable that the King and his councilors seriously considered disbanding it. Meanwhile, Lafayette was unable to decide what course to choose. On 17 July 1791 he did use the National Guard to disperse a particularly unruly mob, but this action, later known as the *Champs de Mars* massacre, served only to spur on the revolution.

The revolutionary assembly changed the nature of recruitment, discipline and control over the army. Hereditary offices were abolished. Some 6000 of the best officers, including de Bouillé, fled France. Officers would be elected and discipline would be handled by citizen courts. The Assembly declared that never again would France fight a war of aggression. The militia would provide all the armed force that defense required.

When the king attempted to escape, the Assembly assumed that an Austrian, even an international, force might

attempt to rescue him. It called for three armies of 169 battalions. Only 60 battalions were filled. Many of these were men physically and mentally unfit for military service. Equipment was scarce.

Meanwhile peasants and others had assumed control over many provincial areas in the name of "the people" or of "France" or of "La Patrie." Technically, they may have been under the command of one of the three National Guard units, but realistically they were little more than bandits. Militia units existed within and without the control of the Assembly.

Lafayette loved liberty and had won admiration at home as well as in America for his role in the American Revolution. But he was too young and inexperienced to make the hard decisions that the events of the time required. The militia system failed during the French Revolution precisely because its leadership failed. It had no true sense of purpose, no goal, and no discipline. Not only did Lafayette and his National Guard permit the radicals to come to power and commit the atrocities of which we are all aware, but he was unable to muster an army that could maintain public order and protect property.

The National Guard failed most miserably when it confronted foreign powers. When they sought to violently spread the good word of the revolution to the Belgians and Austrians the undisciplined horde broke at the first sign of resistance. What successes there were in the early years was due to the professionals, such as artillery units, that carried over from the *ancien regime*; new and able professional leadership of the available units; and luck. The war which began in high spirits and with the most noble of aims was to last twenty years. France soon abandoned the militia and returned to the disciplined army that marked the two authoritarians who ruled on either side of the revolution, Louis XV and Napoleon.¹⁹³

On 23 August 1793 the National Assembly enacted a

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decree establishing the *levees en masse*. It mobilized the entire resources of the French nation to resist foreign invasion. The young men shall go to battle; the married men shall forge arms and transport provisions; the women shall make tents and clothing and shall serve in the hospitals; the children shall turn old linen into lint; the aged shall betake themselves to the public places in order to arouse the courage of the warriors and preach hatred of kings and the unity of the Republic.¹⁹⁴

In 1806 French dictator and general Napoleon disarmed the people of the German state of Prussia. He learned that a form of universal military training had prepared large numbers of the citizens for military service. Fearing the guerilla and insurrectionist forces (which fight anywhere) more than a trained army (which fights along fixed battle lines), Napoleon ordered that all civilian weapons be turned in to the occupied state. He also decreed the death penalty for anyone possessing an air gun.

The Swiss Militia

Switzerland has not fought a war for over five hundred years. Typography has played an important part in maintaining

Swiss neutrality. Sixty percent of the nation is mountainous. So has Swiss diplomacy. The main human factor in sustaining their neutrality has been the citizen-army. Humans have adapted the natural fortifications and impregnable mountains to their purpose. When the Swiss Confederation was founded in 1291, the leaders of the new nation noted that they could survive as an independent nation only if the militia blended in with the terrain. These two factors combined to form the perfect symbiotic relationship for survival and independence.

It has been said that Switzerland does not have an army; rather, it is an army. The Swiss believe that some army will always occupy a nation. It is far better to have one's own army in occupation than that of another nation. At present there are about 650,000 members of the militia, ready to respond literally in a moment's notice. All able bodied males serve as citizen-soldiers of a minimum of thirty years, beginning at age 20. At age 32 the citizen-soldier's status changes from active front line soldier to reserve. About ten percent of the entire population is enrolled in the militia.

Women may join the Service Complémentaire as volunteers. Should women enlist they are duty bound to serve for fifteen years, half of a man's lifetime tour of duty. Swiss law severely restricts what assignments may be made to the women. They may become drivers, cooks, telephone and telegraph operators and homing pigeon tenders. Although the Swiss passed a referendum concerning the equality of the sexes in 1981, it has had no effect upon women in service. They are still assigned exclusively to what are traditional female gender jobs. There are about 20,000 women volunteers at present. Young volunteer women are trained for five days and then given annual refresher courses of not less than two days a year during the entire term of their enlistment.¹⁹⁵

The right to bear arms has long been associated with freedom in Switzerland. In the Thirteenth Century during the

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process of unification and confederation the free peasants demonstrated their freedom by bearing the arms of the period. The right to carry the sword marked the right of a freeman to vote and to otherwise participate in the political process. In Appenzell it is still traditional for voting age males to carry a sword on election day.

The Swiss have a long and distinguished military history. The Swiss perfected military training. First, they used their military prowess to liberate their land from alien lords. The peasants, fighting with a wide assortment of hand weapons, in 1315 destroyed 2000 Austrian mounted knights at Morgarten Pass.

They developed cruel weapons of war and then trained themselves fully in the use of their technology. They developed the square defensive position. Soldiers on four sides armed with 21 foot long pikes proved to be virtually invulnerable to any assault. They first deployed two very dangerous crushing weapons, the Morgenstern and the Lucerne hammer. And they developed the world-famous Swiss army knife with its multiple blades and functions.

Swiss neutrality officially began in 1515. The French army decisively defeated the Swiss at Marignano (now in Italy). They would henceforth enter into war only if invaded. But they would hire out their militiamen to fight in others' wars. Each of the then thirteen confederated cantons created a defensive militia and each hired out its soldiers to all takers. The French were constant customers. French kings chose *Compagnie des Cents Suisse* as their personal body guards. To this day ninety Swiss guards serve the pope and guard the Vatican. Swiss mercenaries made up the backbone of the French Foreign Legion. The cantons sold their citizen-soldiers to various Scandinavian nations, the Holy Roman Empire, Prussia,

Saxony, Savoy, the Netherlands, Spain and Poland. Occasionally Swiss mercenaries served in opposing armies. Those who rented Swiss mercenaries had to agree to release them if Switzerland was attacked.

The cantons enjoyed the money that their mercenaries brought in. The nation was not as industrially advanced as it is today so it was delighted to have the cash flow in. Some trace the beginnings of the Swiss banks to the need for them to expedite transactions for mercenaries and as a place wherein to deposit the money once it was obtained.

Switzerland already ethnically divided also during the Reformation. Swiss loose confederation and tolerant neutrality probably saved Switzerland from the ravages of wars such as occurred in the Germanies. Only in the 1830s was Switzerland ready to establish stronger federal ties. One integrating factor was the militia. Units of various canton militias were marching, training and exercising together.

The *esprit de corps* that militia service established was a strong centripetal force in the nation. Those who had completed their service often visited their old units and relived their days of service. One may liken the feeling that former citizen-soldiers had for their units to the enthusiasm shown by college alumni for their alma mater's football team. Military museums are found throughout Switzerland. Mock battles that challenge each participant's skills in strategy and tactics are common.

Traditionally, the militia is regarded as the most important school in Switzerland. It helps to stabilize the population and public policy. It has given stability standing among the civic virtues of the nation. It has overcome most barriers set by language, birth, rank, class and culture. It has integrated and socialized the many and diverse socio-economic elements of society. It has promoted good citizenship and its consequent social and moral values. It gives Swiss a sense of belonging

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and a sense of purpose. It is a sign that one is a free Swiss citizen, and thus the militia service is regarded as a right as well as an obligation.

The Swiss militia is essentially indistinguishable from the Swiss people. The entire nation places at the disposal of its own defense all of its wealth, resources and human power. As one observes the militia he sees no difference between economic and military power. The Swiss definition of neutrality is intricately bound up with the notion of the citizen-soldier. The main purpose of a neutral nation is to maintain its neutrality with its total population, or at least all of its able bodied male citizens.

Each recruit receives a service book *Dienstbuchlein* in which his days of service are recorded throughout his thirty years of duty. It also contains a record of all other details of one's service. Each recruit serves seventeen weeks. A young man may look forward to spending one year out of his life in military service. If he serves only the bare minimum time and does not seek promotion, and if there is no national emergency, a recruit will serve 365 days over his time of service. Some recruits in each class are invited to spend an additional 145 days and thus to earn the rank of corporal. Lieutenants "pay for the grade" by serving an additional 236 days. The rank of captain requires the investment of another 165 days of militia service.

Recruits are often bound by tradition. The family may have served in a particular capacity for several generations. It is considerable almost dishonorable not to serve in one's expected position. Even after earning distinction by education or practical achievement one may choose to stay within his own family's traditional position.

There are great social benefits that accrue from service

in the armed forces. Lawyers and businessmen make professional contacts. Many sales contracts are initiated during militia training days. Some individuals make contacts that lead to employment and advances. There are shared experiences and a sense of belonging to a group whose importance is universally recognized. The *esprit de corps* developed on militia duty carries over to civilian life. Men with diverse political, social, economic and professional backgrounds find a commonality in the militia. The sense of exclusiveness that militia training inspires often means that certain employment opportunities may be denied to those who do not serve in the militia.

Some career officers argue that compulsory militia service is most useful in maturing young men. Many conscripts complain during the first several weeks of training. Few complain after completion of the course. For many the training period marks the first time that they have been away from their families, at least for any extended period of time. They learn tolerance for other points of view, and of other ethnic groups who live in the Swiss confederation. The Swiss believe that if they are going to have a true citizen-soldier based army there must be close ties between the military and civilian sectors. Many career officers argue that militia training cures or prevents many psychological and adjustmental problems.

In 1977 the Swiss voted on a popularly sponsored initiative that would have allowed young men to choose alternative service. Over 100,000 Swiss believed that there ought to be a choice given to young men of military age. Why not allow them to choose to work in various public works and social agencies instead of bearing arms? The initiative was defeated in the national referendum by an eight to five margin. A second referendum in November 1989 designed to curtail militia service was also handily defeated.

The Swiss expect the militia to serve a socializing

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function. They expect the militia system to bind the nation together, forming an integrated whole. While fundamental socialization is accomplished in schools and all the other traditional places, one announced aim of militia is to reinforce and support that socialization.

The reasons for the Swiss position on the maintenance of the militia system are simple. First, the Swiss generally believe that the militia system has kept them free. Second, there are the historic reasons. John Calvin as well as Roman Catholic theologies support a strong military position. Religious dissenters, such as Anabaptists and Mennonites, were never exempted from general militia duties. Many fled to America to avoid conscription. Some Swiss reason that if dedication to the militia system was that strong in the past, it would be wrong to change things in the present. The 200 to 300 young men who annually refuse induction into military service for religious or conscientious reasons are tried and sent to jail for terms of four to six months. More importantly, they find that many doors are closed to them both in governmental service and in the private sector. If an objector does accept induction he may be granted non-combattant assignment.

Swiss law does make provision for exempting those who are physically or mentally unfit for service. There are also deferments for a few professions, such as for police officers. One who does not accept conscription or who is turned down for physical or mental reasons is virtually an outcast. It is considered to be a cause of family shame.

Professionals make up less than one-half of one percent of the Swiss army. The remaining ninety-nine and a half percent are militia. The professionals are primarily officers and specialists who train the militia and provide the education necessary for the militia to function fully. They also serve as a

binding element which makes the militia into a cohesive unit.

Each citizen-soldier maintains his own rifle in his home. He is issued a rifle upon initial training and he keeps it through his thirty year tour of duty. Older militiamen may have bolt action Schmidt-Rubin rifles. More recent recruits have automatic assault rifles. In Switzerland there are more than 600,000 assault rifles in private homes. In addition the soldier has a sealed tin of ammunition, enough for initial deployment. While the military authorities encourage civilian marksmanship, the man who breaks the seal of his ammunition can without specific orders is subject to severe punishment. He also has his uniform and a steel helmet and gas mask. Each man is responsible for having two days' rations on hand. A mobilized recruit reports fully dressed and equipped and ready for action. It is a matter of pride that, were a call to full mobilization to be made in the morning, it would be essentially completed by evening.

The Swiss guard their military secrets carefully. In 1977 a brigadier was sent to prison for a term of 18 years for having surrendered secrets concerning mobilization to the Soviet Union. During World War II fifteen Swiss soldiers were shot to death by members of their own units for betraying secrets to the Germans.

The young men constitute the *corps de campagne*, the elite corps. The *corps* is a highly mobile, mechanized force. It is trained with all the latest hardware deployed by the Swiss defense ministry. They use the traditional weapons of twentieth century warfare, such as assault rifles, flame throwers, hand held rockets, hand grenades and machine pistols.

In Switzerland there are no elaborate training grounds and mock battlefields. The militia trains where it will fight. They are quartered in villages, towns and rural farm buildings, or in the many redoubts carved into the mountains.

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The Swiss like their soldiers to develop an aptitude for war. They encourage young men to compete in various athletic events the competition in which will help them become stronger militarily. There is an annual thirty kilometer foot race with full military packs and rifle that attracts several thousand participants.

Shooting sports are popular. As we have seen, above, the Swiss soldier must maintain his emergency ration of ammunition intact, seal unbroken. But he can readily buy with his own funds all the ammunition he wants for training and practice. Many consider shooting as the Swiss national sport. The Swiss follow shooting competition at Knabenschiessen, Wyberschiessen and Rütli-schiessen the way American follow football or baseball. National television covers major marksmanship events with full reports. Nearly every town and village has a 300 meter rifle range. Each citizen-soldier must demonstrate his marksmanship skills annually. The test utilizes both ordinary and camouflaged targets. Twenty-four shots are fired in rapid succession. Out of an optimum score of 112 points a militiaman must score at least 52 points. These tests are administered by the local rifle or shooting club, not by the army professionals. If he fails he must don his uniform and report for supervised instruction. That alone is sufficient incentive to keep in practice.

The citizen-soldier may not use his weapon for hunting. Since nearly all of the younger militiamen have been issued assault weapons the restriction is reasonable. He buys his practice ammunition at actual cost through his shooting club which gets its supplies from the army. There is no limit on how much a citizen-soldier may shoot. When a citizen-soldier has completed his service he may keep forever the gun with which he has trained. The continued possession of a standard military

arm by unenrolled militia underwrites not only the legitimacy of the informal militia, but also the idea of *levees en masse*.

A Swiss citizen who wishes to buy a gun for hunting encounters no problem. Sporting arms are readily available for sale. There is no permit system. He may purchase a gun through mail order. Obsolescent bolt-action military rifles may also be purchased at a low cost. Handguns, rifles and carbines that have been released are stamped with the letter P to show that it has been released to private ownership. This program of selling out older weapons rather than destroying them had once been common practice in America through the Director of Civilian Marksmanship (DCM). Air rifles are also available, although a parent must sign that he will be responsible for the pedagogy of the minor child. The state prefers that youngsters begin his weapons training with an air rifle at an early age.

Handguns are subjected to somewhat greater control. A prospective purchaser must make application for a license to buy the handgun. After identifying himself to the dealer the buyer fills out a standard form. The police check the purchaser's background. Permits are routinely denied for reasons of public addiction to drugs or alcohol, criminal record, insanity or other mental instability. After the police check the license is sent to the dealer and the handgun is delivered. The application process usually takes ten days. One presents his license in order to buy handgun ammunition.

Once a citizen owns a handgun legally the law assumes he is competent to use it. He need not obtain additional permits to transport, own, carry or use. Each canton makes its own gun laws. The cantons of Basel, Zurich and Tessin require that one obtain a concealed weapons permit in order to carry a handgun on one's person. The justification for this restriction is found in their being frontier areas where security is of greater concern than in other cantons.

The Swiss militia trains only in such areas as it will fight.

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It has no particular use for arctic or tropical training. They specialize in mountain warfare. They practice as civilians and under arms the skills needed for alpine war. They are or become expert mountain climbers and skiers. They look upon mountain passes virtually as weapons in and of themselves. Each militia unit knows its own military targets. Each knows which bridges are to be destroyed and which defended. They know from long standing planning how each bridge or pass is to be destroyed and what weapons have been deployed at each site.

Much of Swiss defense depends on being able to cut off the many mountain passes, railroad and auto tunnels and bridges. Demolition is a most important part of their military preparedness.

The Swiss training is exclusively defensive. The purpose of the militia is to make certain that any potential enemy knows that it will be prohibitively expensive to attack Switzerland. Swiss leaders refer to this as the "porcupine principle." The nation stands pat and brandishes its power, intimidating a potential enemy. The only great battle which the Swiss have fought in the last five hundred years has been that of showing any and all enemies that the price of invasion and occupation would far outweigh any potential benefits.

The prevailing military philosophy has always been that of stopping invaders at the border. The Swiss believe that any sort of civilian resistance would cost far too many civilian lives. They intend to maintain a maximum amount of Swiss land under Swiss control. The Swiss also reject the possibility of nuclear blackmail causing national surrender. The Swiss believe that their civilian defense system combined with the militia system would be sufficient to withstand even nuclear war. Switzerland has shelters for at least 95% of its population. It

has converted various tunnels to emergency shelters complete with rolling concrete doors that seal the area inside the tunnel. They have built underground shelters into many public buildings and private homes.

Even if a Swiss government were to capitulate to foreign threats or invasion the armed population is wholly prepared to fight. The citizen-soldiers might well ignore the mandate of a weak government to surrender. The Swiss concept of the militia contains necessarily the idea of the maintenance of independence and freedom without or without government. The security of the free and independent people takes precedence over any concept of loyalty to a government.

Many of the younger generation in Switzerland accepts the marxist-maoist rhetoric that guerilla warfare is preferable to direct confrontation. While these youngsters are prepared to resist an invasion, they prefer to do so through tactics like those used during World War II by the French resistance. The guerilla warfare philosophy assumes that the nation would surrender and that is antithetical to Swiss thinking. The central planning staff of the Swiss military has not intention of voluntarily surrendering any portion of its land.

Still, if all seven defensive perimeters were to be captured and /or destroyed, guerilla warfare would follow.

Militia supplies are diffused. Leaders of various units know where there are hidden caches of ammunition, small arms, grenades and even medical supplies and food. Individual soldiers keep their own small arms. No nation is more prepared to sustain guerilla warfare than is Switzerland. No one in government has a master list of the concealed supplies. The militia is able to operate independent of government.

Demolition practice is extremely important in Swiss militia training. A civilian engineer will often work out demolition plans along with the building design. Thus, the engineer would wear two hats. He will be the civilian builder and the

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military agent of destruction. Total destruction is important. If a bridge or a tunnel must be destroyed, it must be thoroughly and completely destroyed so the enemy cannot rapidly rebuild and reopen the facility. Switzerland officially has 3000 places marked for destruction in the case of invasion. Some believe that the actual number of facilities marked for destruction is at least twice as large as is officially admitted. Many bridges and tunnels and mountain passes on railroads and highways have the demolition materials perpetually in place.

The Swiss practice with all sorts of larger weapons. The Swiss have hidden cannon of all sizes in many strategic locations throughout their nation. Cannon are hidden inside hollowed out mountains and in homes, barns and other buildings built especially to conceal larger guns. Cannon are trained on virtually all important targets, such as railroad bridges, mountain passes and narrow highways. Cannon back up demolition charges.

Hollow mountains and large excavations under public facilities serve as civilian defense headquarters. Some of these facilities hide gasoline, food and water or munitions. Others house whole hospitals. Some estimate that Switzerland has enough food and water in secure storage to take care of its entire population for up to a year. Likewise, it may have a full year's supply of munitions and gasoline. Some mountains are allegedly able to hold a full division of militia along with all necessary food and supplies. Even aircraft hangers are concealed in hollowed mountains. Militiamen in the age group of 33 to 42 years maintain and defend the static bunkers. They learn to know the surrounding area thoroughly. There are at least seven rings of defense, each with its own static forts, redoubts and bunkers.

There are smaller depots in forests and on farms and in

meadowlands. Some of these smaller armories contain only a few small arms and munitions. Others are said to conceal larger weapons, such as cannon and tanks. Virtually every vital area of the nation has known the prevailing military arms of the period since the Thirteenth Century. The main difference in most areas is not if there will be a defensive perimeter created, but what weapons will be deployed at a specific time.

The government regularly conscripts draught animals. Horses and ponies are still an important part of Swiss army transportation. Draught animals carry their own cards showing their military service, including hours spent in national military service. Even private vehicles may be conscripted. Some trucks and automobiles carry a notice on the registration forms that in a national emergency the vehicle may be impressed into military service.

There are three major and important static defensive positions. One is located near the Austrian frontier. Another is located at the head of Lake Geneva. The third fortress is near St. Gotthard, the main central pass in the Alpine Mountains. Other fortresses and redoubts are cut into living rocks throughout the state. These fortifications are perpetually manned with the militia. A portion of the militia spends nearly all of its active duty time in these underground facilities. They stand guard over the larger civilian defense facilities that are housed in various public buildings such as schools and government offices.

Success in the military leads to success in private life more often than not. In Switzerland there is a positive correlation between leadership in the private sector and leadership in the military. One who is successful in the military almost automatically rises in the private sector. Officers with substantial service nearly always are promoted by their private employers. A successful militiaman would certainly include his service record on his personal résumé.

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Banks and private industries and corporations fully support military service by their management. They make every possible concession to the military to guarantee it a constant source of manpower from their ranks. It is company policy in most major corporations that each employee attempt to move up in military rank. Many thirty year veterans will have obtained rank by serving 1500 or more days in the militia. The corporation picks up most, if not all, the cost of a citizen serving as a soldier an average of 50 days a year. No one objects to an employee's absence for militia duty.

As one advances in rank and seniority in the Swiss militia more demands are made upon his time. The greatest demand on one's time comes when one is invited to become candidates for a position on the general staff. The general staff plans strategy and oversees operations. Although the exact number of positions on the general staff is classified, there are probably more than 2000 general staff officers. Corporations are generally delighted to have one or more of their employees serve on this important council and so they underwrite many of the costs. Even with the significant investment of time on the general staff, and the subsequent loss of time in the corporate offices, general staff officers are expected to be significantly more productive than other employees. Those who have held responsible positions in private enterprise and who have simultaneously been in training for general staff positions universally agree that this was the most stress filled time of their lives. Few would have refused the opportunity to serve on the general staff.

Some Swiss militia officers attend special instructional classes abroad. Among the staff colleges they frequently attend are: the West German staff college at Hamburg; the U.S. Army War College at Fort Holabird, Carlisle War College,

Fort Benning, Fort Knox or Fort Leavenworth; the Royal College of Defence Studies in London; and the École Supérieure de Guerre in Paris. Many attend Swiss and foreign universities to complete study for the Ph.D. or other earned doctorate. Much of the cost of advanced study is ultimately picked up by the Swiss private sector. Employees receive regular pay checks during their study assignments.

Militiamen frequently use corporative facilities for militia use. Officers frequently make arrangements of various types over the company's telephone lines. They make copies of materials on the corporate copiers. Secretarial time is often directed to military purpose. Since computers have come into common use a certain portion of computer time is often allocated to military purpose. Frequently Swiss men on assignment in foreign nations are returned at company expense for militia training and service.

The militia system has served the state well. In the Twentieth Century the airplane has caused some problems of adjustment. The technological demands of maintaining an active air force are more than the militia system can cope with. Pilots need much more time in the air than would be the case for other militiamen. They need to become intimately familiar with the mountains in which they fly. Some pilots train in Sweden in addition to the time they spend in their native land. Nearly all SwissAir pilots are members of the militia. The air line supports the militia and makes many hours of a pilot's time available to the militia.

The Swiss militia serves three purposes. It maintains Swiss freedom and independence. Second, the militia engages in civic action, especially in cases of natural disaster. They assist in rescue missions in the mountains. Third it maintains public order. In 1932 when there were serious political riots in Geneva, the citizen-soldiers were called into service. They suppressed the riots and protected private property. In the

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process 13 civilians were killed and at least 80 wounded.

On 26 November 1989 the Swiss conducted a referendum which, if it had been passed, would have changed the militia system dramatically. Two-thirds of the Swiss voted to retain the time tried militia system. Most Swiss simply could not see their nation without its traditional citizen-army.

The referendum had been sponsored by a young socialist group, known as "The Group for Switzerland Without an Army," or GSoA. GSoA published a body of literature which promoted the abolition.¹⁹⁶ They argued: [1] an army was an anachronism; [2] military concepts were no longer relative to contemporary youth. The military was the major impediment to the development of social consciousness; [3] militias and the military in general were cost ineffective. The money could be put to better use elsewhere; [4] atomic power had obviated the need for citizen-soldiers; [5] conventional forces would be helpless pitted against modern chemical, biological and bacteriological warfare; [6] the socialization learned in the militia taught the wrong lessons; and [7] the citizen-soldier system had been built upon a myth anyway. The militia had never deterred an enemy from invading.

Buttressed by a West German television documentary, the opponents of the militia system attempted to juxtapose the nation and the militia. Switzerland was not a militia; it was a nation occupied by an alien militia. Their advertising attempted, unsuccessfully as it was, to drive a wedge between the people and the citizen-army. Some blatantly pro-communist literature argued that the militia was opposed to the real workers' interests and that it was a tool of class oppression. Militant feminists argued that it was sexist. Others hinted at racism directed against Switzerland's tiny permanent and transient minority populations. Some saw the referendum

as an opportunity to overthrow an oppressive government and to liberate Switzerland as Eastern Europe had liberated itself.¹⁹⁷

The Swiss militia system is tied to the Swiss system of civilian defense and preparedness. Switzerland has 5,700,000 spaces in its civilian defense shelter system for its 6,300,000 people, and is continuing to build more. The deficiency of 15% is to be found mostly in rural areas. New construction in the countryside should correct the deficiency before A.D.2000. All new construction must have adequately prepared shelters built in. The space allocated to civilian defense is allocated to storage and to youth hostel housing in peacetime.¹⁹⁸

Shelters in apartment must house not less than the number of people who live as renters. Community shelters are fully equipped with electrical generators, showers, kitchens and adequate food and water. Most community shelters have fully equipped medical facilities.

Because of the Swiss system of national defense more militiamen will survive a nuclear or massive conventional bomb attack. The militiamen will serve better because they are certain that their families are well cared for and adequately protected. Each citizen has the same chance of surviving as each other citizen. The shelters guard against nuclear blackmail.

Switzerland has no "gun problem." It arms its citizens at the public expense and makes certain that they are skilled in the use of these arms. The Swiss make certain that no one uses a gun unless he is well prepared to receive it. The state subsidizes arms practice. It imposes no restrictions on shotgun or rifle ownership and has few restrictions on handgun ownership. Virtually no crime can be traced to widespread firearms ownership. The militia training helps to instill into the people a proper sense of value of, and a healthy respect for, firearms. The Swiss socialization process creates the proper attitude toward guns. Few if any people is more familiar as a nation

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with guns that the Swiss. Misuse of a firearm is a separate problem and is dealt with as are all crimes by enforcing laws already on the books. The Swiss would be more concerned with the lack of respect for the law by a criminal misusing a firearm than it would be with widespread ownership and use of guns.

The U.S.S.R. views Switzerland with great suspicion. Switzerland has armed itself with weapons of its own manufacture and from many other sources. But none of its weapons come from communist nations. In the army training the hostile, attacking units are always called "red" units. The tiny Swiss communist party has protested this to no avail. The Swiss equipment is as much western in origin as in any N.A.T.O. nation. Switzerland is not formally a member of N.A.T.O. and denies that it is an active, if unofficial, member. The Soviet Union rightly regards Switzerland as a major bastion of capitalism. In a Soviet invasion of Europe, Switzerland may be the last state to fall.

The Soviets have long hated the Swiss. For one thing, the Swiss, at least man for man, may be the most powerful and feared military force in Europe. Their defensive preparedness and their fierce independence and love of freedom not doubt rankle the Soviets as well.¹⁹⁹

Bibliography

Armée Suisse. This book is issued annually by the Swiss government and is sold in most book stores. It contains all things that a citizen-soldier in Switzerland must know. It discusses their rights and privileges, strategy and tactics, equipment and organization and the role of the individual citizen-soldier. The photographs of current equipment are interesting and the accompanying text is fully descriptive. The 1988 edition contains 372 pages of fine print text. Soldiers must buy this booklet out of their own funds. Brodmann, Gross (ed.). *Unterwegs zu einer Schweiz ohne Armee.* Zurich,

1987.

Frisch, Max. *Dienstbüchlein*

_____. *Schweiz ohne Armee: ein Palaver*. Zurich, 1987.

Guisan, *Notre peuple et son Armee*. Zurich, 1938.

Heer, Eugen. "Swiss Shoot Holes in Anti-Gun Position," *American Rifleman* (November 1978), p.34f.

McGuire, Frank G. "How Swiss Gun Laws Work," *American Rifleman* (December 1966), pp.44-45.

McPhee, John. *La Place de la Concorde Suisse*. New York: Farrar, Straus & Giroux, 1984.

Miller, Douglas. *The Swiss at War*

Munday, R.A.I. "Switzerland Without an Army," 1 *News Forum of the Institute for Research on Small Arms in International Security* 2 (1990).

Schlafly, Phyllis, "Swiss Civil Defense: The Real Thing," *Daughters of the American Revolution Magazine* (Oct. 1985). Reprinted by the D.A.R. National Defense Committee.

"Swiss Citizenry Armed, Crime Rate Very Low," *Gun Week* (1 April 1977), p.10.

"Swiss Army: Citizens' Privilege." *Los Angeles Times*, 1 October 1980.

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Militias in the Middle East

The two great enemies of the Middle East, or Holy Lands of several significant religions -- Judaism, Christianity and Islam -- both have traditions of developing and maintaining militias. Both view militias as more than secular training. There are spiritual dimensions to be noted as well. Much of the Jewish armed citizen tradition is associated with the partial extermination of European Jewry during the war years, 1939-45. The Jewish Bible certainly has much to relate of the importance of military power and the armed nation in reference to the survival of historical [or biblical] Israel. Likewise the Koran, holy book of Islam, ties most clearly physical and mental conditioning and preparation to the spread of Islamic religion and ideals.

Islamic Jihad

Few contemporary books of religious doctrines place as much emphasis on war as does the *Koran*, holy book of Islam. Every line (*sura*) of the *Koran* fulfills a design. Not a few call the faithful to war. The work of Mohammed (569-632), commonly called the Prophet, the *Koran* was revealed in a series of visions over a period of many years beginning in 610. It mixed Judaism and Christianity with native beliefs to give a vision of hell and Paradise and a way to avoid the former and achieve everlasting life in the latter. The best way to be guaranteed a life in Paradise is to die in *Jihad*.

The term *Jihad* is relatively well known in the West. The Prophet required that all the faithful must be prepared to fight, and perhaps die, for the religion. Thus, many regard it as a "holy war." The Prophet in the *Hadith* wrote, "Shall I not tell you of the peak of the matter, its pillar and topmost part? The peak of the matter is Islam; the pillar is prayer; and its topmost part is *Jihad*." The injunction to holy war is noted in the *Koran* as follows:

O, ye who believe! Shall I guide you to a gainful trade which will save you from painful punishment? Believe in Allah and His Apostle and carry on warfare [*jihad*] in the path of Allah with your possessions and your persons. That is better for you. If ye have knowledge, He will forgive you your sins, and will place you in the gardens beneath which the streams flow, and in fine houses in the Garden of Eden; that is the great gain.²⁰⁰

Moslem translators of the *Hadith* note, "Though the Arabic *Jihad* is generally rendered "holy War," its meaning is wider than this and includes any effort made in furtherance of the cause of Islam." It may be defined as the "utmost effort or struggle, not necessarily physical, in support or defense of Islam."²⁰¹ It may be carried out either with propaganda, or

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with weapons, or both. Islamic jurists note four ways in which the faithful may carry on *Jihad*: in one's heart; by talking about it; with one's hands; and with force of arms. In the first example one combats evil within one's self. Mohammed preferred reason over combat in spreading his new religion. In the second and third instances one is called upon to stand up for right in the face of wrong. In the last case one takes up arms against enemies of Islam.²⁰² The term *Jihad* comes from the verb *jahada* and the abstract noun *juhd* which refer to exertion. It is effort made on behalf of Allah in any way, principally in making Allah and the *Koran* supreme in this world.²⁰³ *Jihad* necessarily involves the whole body of Islam and requires no additional formal enrollment of the faithful. By definition all Moslems are enrolled once *Jihad* is announced.

Jihad is a collective obligation of the community (*fard kifayah*) which involves all men and women. If no one or only a few persons participate the whole community is guilty of sin. If all or most persons partake of the fight then the communal obligation is fulfilled.²⁰⁴ As the Prophet wrote,

Those of the believers who sit still, other than those who have some injury, are not on a level with those who strive with goods and person in the way of Allah. Allah hath given preference in rank to those who strive with goods and person over those who sit still²⁰⁵

War in Islam had to be both just and holy. Warriors had to follow the implicit command of God in accordance with what was revealed in the holy book. War was just when begun and waged in conformity with the law of Islam, and when carried on for a just and lawful purpose.²⁰⁶ Mohammed commanded,

Kill not the old man who cannot fight, nor young children, nor women. . . .
Lo, Allah loveth those who battle for His cause I swear by Allah . . .

that marching about, morning and evening, to fight for religion is better than the world and everything in it; and verily the standing of one of you in the line of battle is better than supererogatory prayers performed in your house for 64 years.²⁰⁷

Those who respond to a call to *Jihad* and die in battle are guaranteed entry into Paradise. *Jihad* is called against unbelievers. The promise of guaranteed entry into Paradise is as great a motivating factor for Moslems as the same promise made by popes to crusaders was in Christendom. The Koran does not require, or necessarily urge, the faithful to seek martyrdom in battle, to look for a holy war in which to fight. If the religion is challenged or under attack, all Moslems are allowed, even encouraged, to fight to the death to insure the survival of Islam. The Medinese *Suras*²⁰⁸ emphasize more strongly the obligation that all able-bodied believers have to enter into all holy wars. "Fight in the way of Allah," the *Koran* teaches, "against those that fight against you, but begin not hostilities."²⁰⁹ Those who are unwilling to enter Allah's service in battles, even in far off places, may never attain the full pleasures of the highest level of Paradise. All the faithful will gain a place in Paradise, but there is a richer reward for those who are oblivious to death in battle against the Infidels. Those who are unable to make war are expected to give material support, according to their ability to do so, to warriors in a *Jihad*.

The general disposition of the *Koran* is martial. Islam allows no co-existence with polytheism. No one, especially an Arab, may be allowed to remain a pagan. In one application, *Jihad* is warfare between polytheism and Islam. In another, broader meaning, it is punishment of all Islam's enemies.²¹⁰ The Median *Koran*²¹¹ called for *Jihad* against Jews, Christians and all other Infidels. Christians worship the Holy Trinity whereas the *Koran* teaches that Allah is one. The *Suras* also

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denounce the Roman Catholic litany of Mariology. The *Koran* also ordered that unbelievers be charitably treated. The forcible conversion ²¹² of unbelievers, discussed by some, especially during the early years of Islam while it was spreading its message, is more mythology based on isolated incidents than the general practice. Taken in a spiritual context, *Jihad* resembles the attempt made by nearly all religions to spread their doctrine. Generally, Moslems imposed their military and political, but not religious, systems on occupied peoples.

Jihad was never more important in Islam than under the Kharijites in the Seventh Century. The group represented heterodoxy within Islam. They argued that the Caliph ought to be elected from among the body of the faithful by all believers. Beginning with the fifth Caliph ²¹³ the office became hereditary.

In creed the Kharijites argued that *Jihad* ought to be officially be added to the canons of faith. They wished to make holy war against all Infidels and to convert all captive peoples to Islam. They placed great emphasis on external good works, the highest and most important of which was the spread of Islam by total war involving the total population. At the end of the Seventh Century the heresy was suppressed, less because of its emphasis on *Jihad* than because of its opposition to hereditary succession of the Caliphs.

Mohammed planned sixty-five campaigns during his lifetime; and he personally led twenty seven campaigns. He was not a great general, winning only a few more of his major engagements than he lost. Some of his campaigns were carried out for no purpose other than the gathering of plunder.

He especially was given to looting the wealthy Jewish communities. Mohammed's hand-picked successor, Abu Bekr (573-624) was the leader who instilled fanatic devotion to

battle into the faithful. He taught them to "be valiant; die rather than yield."²¹⁴

During the Umayyad dynasty, 661 to 750, A.D., the Moslem Empire reached its greatest heights. The strongest leader of this dynasty, Omar, led his people with great courage, but tarnished his reputation by displaying extreme cruelty. Omar forbade his citizen-soldiers to buy or till the land so that they would remain faithful to arms rather than to peace. He hoped that all his followers would remain Arabians dedicated to arms and religion.²¹⁵

The popular army, spurred on by religious dedication and promises of Paradise for slain soldiers, extended from Aquitaine in France to Punjab in India; from Armenia in present-day U.S.S.R. to the Indian Ocean; and from Constantinople to Gibraltar. But the religious community the Prophet had hoped to establish eluded Islam. Included within the empire, overrun with a relative minimum of bloodshed by the citizen-army of Islam, were Jews, followers of Zarathustra, Orthodox Christians, Roman-rite Christians, pagans, Hindoos, and Nestorians.²¹⁶ As non-believers they were exempt from making war, although they might serve in ancillary capacities and contribute money through taxation.

The Moslem armies were ruthless in battle as the *Koran* demanded. They rarely took prisoners as long as they were engaged in the battle. After the enemy surrendered they acted in a kind and generous fashion, as prescribed in the *Koran*.²¹⁷ All Moslems were under grave obligation to maintain true religion, peace and order, and to resist all attacks on the body of Islam. They did not tolerate dissent against their rule or religion. "Those that make war against Allah and His apostle and spread disorders in the land, shall be put to death, or crucified, or have their hands and feet cut off on alternate sides, or be banished from the country."²¹⁸

In the Fourteenth Century the Moslem military organiza-

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tion was reformed. It was now comprised of several strata. The sultan kept a private army of body guards and select troops. Feudal chieftains supplied *sipahis* (cavalry), which under Suleiman numbered 130,000 men. Murad I initiated an interesting tradition. Christian infants, surrendered or sold by captive peoples, were trained as a select fighting force, the *Janissaries*. That force often numbered 20,000 men, and were among the world's best troops. At the bottom was the militia, often trained and disciplined by the *Janissaries*. The militia used small arms such as swords, bows and spears. Cavalry and specialized skills existed among the standing army. The Moslem army was among the best of its time, especially in the areas of engineering, artillery and military strategy.²¹⁹

During British occupation of India both Hindus and Moslems opposed colonial rule. In 1857 a bloody revolt took place against the imperial masters. The burden of British repression fell on the middle and upper class Moslems. To show that they could be worthy and docile subjects some Moslem intellectuals rejected traditional *Jihad* and redefined it to reject armed revolt. The most significant Indian Moslem intellectual of the period was Sayyid Ahmad Khan. He argued that only when actually attacked or denied their right to practice their religion were Moslems required to take up arms.

As long as the English protected the lives and religious liberties of Moslems, no Moslem was permitted to take up arms against the rulers.²²⁰ Not all Moslems accepted this modernistic view. To many this attitude would pave the way for a separation of church from state. To others this interpretation of *Jihad* was highly unorthodox.

During World War I the Ottoman Sultan of Turkey called for the traditional armed *Jihad* against the Allied Powers, especially in the Middle East. The Sultan claimed also the title

of Caliph which, he hoped, would be recognized as the titular head of the Islamic world. The call was issued in the hope that all Moslem peoples would rise against British, Russian and French colonial rule throughout the Moslem world. The call was aimed at arising Pan-Islamic sentiments in all nations. It was accepted by some intellectuals who wanted to block colonial expansion and interference in the Middle East.²²¹ The call went unheeded, partially because many Moslem peoples disliked the Turks more than they hated the Allies. To many, the success of the Allies would ensure that Arab peoples would be free of outside interference. Arab unity meant more than Islamic unity.²²²

We may note two contemporary examples of *Jihad*. The long struggle against Russian communist occupation of Afghanistan was ended because all factions in that embattled nation participated in *Jihad* against the occupiers. *Jihad* in Afghanistan involved primarily a military struggle. The Afghan freedom fighters were following the command of the *Koran* that they should "Fight for the sake of Allah those that fight against you, but do not attack them first. Allah does not love aggressors."²²³ Many fraternal Moslem nations supplied the Afghan freedom fighters against the invaders. Pakistan, a fundamentalist Moslem nation, served as the staging area and supply depot for all sorts of supplies. It also offered asylum to Afghan refugees.

In the inter-war period several Islamic fundamentalist organizations were founded. They sought to unify church and state and rule the state under Moslem law. The Society of Moslem Brothers and other groups called for *Jihad*, believing it to be the only way that could possibly realize these pan-Moslem ideals. Like their earlier brethren they sought martyrdom in *Jihad*.²²⁴

These Moslem organizations entered the struggle against Zionist influence in Palestine in the post-war period.

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Most Islamic nations of the Middle East are engaged in *Jihad* against Israel. While the Afghan *Jihad* involved arms, the struggle to drive the Israelis from the occupied Palestinian areas. In a conference in 1981 at Taif, Saudi Arabia, an Arab summit called for *Jihad* against Israel, but not necessarily military action. The Arab leaders regarded *Jihad* as a political and moral statement, not as a call to arms. The *Koran*²²⁵ gave support to holy wars against Jews "who worship their rabbis."

The Jewish Bible and War

The Jewish Bible [or, to the Christian, the Old Testament] contains many references to arms and war and the need for, and use of, the military.

"the arms of the wicked shall be broken: but the lord upholdeth the righteous" [Psalms 37:17]

"he teacheth my hands to war; so that a bow of steel is broken by mine arms." [2 Samuel 22: 35]

"arm some of yourselves and go to war" [Numbers 31:3]

"Abram armed his trained servants" [Genesis 14:14]

"about 40,000 armed for war" [Joshua 4:13]

"The children of Ephraim being armed, and carrying bows, turned back in the day of battle. They kept not the Covenant of God" [Psalms 78:9-10]

The Hebrews "went forward with their armies under Moses" [Numbers 33:1]

"they shall make captains of the army to lead" [Deut. 20:9]

A building was "like the tower if David builded for an armory."
[Cant. 4:4]

"Saul . . . loved him [David] greatly and he became his armor bearer." [1 Sam. 16:21]

"Saul died, and his three sons, and his armor bearer, and all his men, that same day together." [1 Sam. 31:6]

"they gathered all able to put on armor" [2 Kings 3:21]

"Hezekiah shewed all his precious things, silver and gold, the house of his armor." [2 Kings 20:13]

They "didst look in that day to the armor of the house" [Isa. 22:8]

The Hebrews hunted and practiced with their weapons.

Isaac to Esau "take, I pray thee, thy weapons, thy quiver and thy bow, and go out to the field, and take me some venison"
[Gen. 27:3]

"I took out of the hand of the Amorite with my sword and bow"
[Gen. 48:22]

"Jonathan . . . gave . . . David . . . his sword, and his bow . . ."
" [1 Sam. 18:4]

"Also he [David] bade them teach the children of Judah the use of the bow" [2 Sam. 1:18]

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Jacob regarding Joseph: "The archers have sorely grieved him, and shot at him, and hated him, but his bow abode in strength and the arms of his hands were made strong by the hands of the mighty God" [Gen 49:23-24]

Elisha and the Syrians: "And the King of Israel said unto Elisha . . . My father, shall I smite them? . . . Thou shalt not smite them; wouldest thou smite those whom thou hast taken captive with thy sword and thy bow? " [2 Kings 7:21-22]

Elisha to Joash, King of Israel: "And Elisha said unto him, Take bow and arrows. And he took unto him bow and arrows. And he said to the King of Israel, Put thine hand upon the bow. And he put his hand upon it And he said, Open the window eastward. And he opened it. Then Elisha said, Shoot. And he shot. And he said, . . . thou shall smite the Syrians in Aphek till thou have consumed them." [2 Kings 13:15-17].

" . . . in the days of Jeroboam, king of Israel. The sons of Reuben, and the Gadites, and half the tribe of Manasseh, of valiant men, men able to bear buckler and sword, and shoot with bow, and skilful in war, were four and forty thousand seven hundred and three score And they made war with the Hagarites, with Jetur, and Nepish, and Nodab." [1 Chron. 5:17-19].

David's companies at Ziklag, "They were armed with bows, and could use both the right hand and the left in hurling stones and shooting arrows out of a bow" [1 Chron 12:1-2].

Job laments his former prosperity: "My glory was fresh in me,

and my bow was renewed in my hand." [Job 29:20]

"A people cometh from the north country and a great nation shall be raised from the sides of the earth. They shall lay hold on bow and spear" [Jer. 6:22-23]

"Asa had an army of men that bare targets and spears, out of Judah three hundred thousand; and out of Benjamin that bare shields and drew bows, two hundred and four score thousand" [2 Chron 14:8]

Nehemiah commissioned by Artaxerxes came to Jerusalem, "and the other half of them [Nehemiah's servants] held both the spears, the shields, and the bows and the habergeons" [Neh. 4:16].
"

set I in the lower places behind the walls and on the higher places I even set the people after their families with their swords, their spears and their bows." [Neh. 4:13]

God also has an army and arms as He is presented in the first books of the Bible.

"the Lord has opened his armory" [Jer. 50:25]

He "caused his army to serve a great service" [[Ezekiel 29:18]

"according to His will in the army of heaven" [Daniel 4:35]

"Lord shall utter his voice before his army" [Joel 2:11]

The Lord "hath bent his bow" [Lam. 2:4]

God to Gog, "I will smite thy bow out of thy left hand, and will

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cause thine arrows to fall out of thy right hand" [Ezek. 39:3]

And, on occasion, God directed the weapons of various nations.

God threatened to destroy Babylon, "I will stir up the Medes against them Their bows shall dash the young men to pieces" [Isaiah 13:18]

God threatened Israel with, "the residue of the number of archers" [Isaiah 21:17]

The Israeli Militia

Arms and a militia or *levees en masse* have been very much a part of the Jewish experience for the beginning of their recorded history. The Jews obtained the Promised Land through the total military effort of the entire people. Jews in antiquity relied as heavily on weapons as do the Israelis of the Twentieth Century.²²⁶ Jews have not always had the arms they needed to resist their enemies, be it in antiquity, Roman times, the middle ages or the Nineteenth and Twentieth centuries. Israel exists today because it has an ever vigilant, well-armed citizenry. Why did more Jews not resist deportation to nazi camps? One answer may be that they had little wherewith to resist.

The Jewish Experience in World War II

Nothing typifies the Jewish experience during World War

II better than the Warsaw Ghetto uprising which began in January 1943.²²⁷ The Ghetto was liquidated between May 3 and May 18, 1943. The National Socialist [Nazi] German troops were rounding up Jews for deportation and instead of being compliant and docile, they resisted. But with arms closely watched before and during the war it was extremely difficult to find the materials of war with which to resist tanks, machine guns and flame throwers.²²⁸

One eyewitness reported that initially "we had only pistols." Ammunition was scarce so "we nursed each bullet firing carefully." The non-combatants also made "molotov cocktails" out of gasoline and glass bottles, which the resistance fighters used with great effect.²²⁹ The non-combatants also prepared bunkers for the protection of the wounded and children.²³⁰

The armed citizens who fought the National Socialist German army resembled more *levees en masse* than a militia because [1] they were untrained, unenrolled, undisciplined, and formed only at the moment of the uprising; [2] the fighting force enrolled the total population, not just men of military age; [3] they fought only within their own area, and; [4] they were under no direct military orders or command of recognized authority.

After the initial January uprising "our supplies of ammunition grew," one Jew wrote, " we received from the Army of the Country . . . 50 revolvers, 50 bombs, and quite a quantity of dynamite." But, "in general, supplies were always far short of what the fighting organization needed."²³¹ The Jewish Fighting Organization [JFO] was formed. The first shipments of illegal arms the JFO received were small.²³² One smuggler brought in 10 pistols "packed in small boxes and were covered with ordinary nails."²³³

As the German and allied forces moved in on the ghetto they set off explosives and set fires and soon it was ablaze. In

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the last effort, "Units of the JFO, hiding in the ruins, planted mines and hurled grenades at the marching, celebrating army. . . . We were hundreds of fighters and our command was with us"²³⁴ The Jews succeeded in driving the Germans back. For more than ten days the Jews held onto the remnants of the ghetto. As the end came the Jews continued to send "combat units out to ambush Germans" but they "did not dare to enter the Ghetto in open formation."²³⁵ The bunkers were the last to fall to German troops because the Jews who had taken refuge there were protected from the fire. By 10 May 1943 it was all over. A few resistance fighters escaped and the rest died.²³⁶

Few of the Ghetto Jews had had prior experience with firearms. Those who did have knowledge of arms acquitted themselves well. In early action, an eyewitness report, "our best shot distinguished himself."²³⁷

As one recent authority on violence in Jewish life wrote,

In World War II resistance generally occurred when resisters to occupation could anticipate their rescue from the outside. They coordinated their actions with the approach of forces coming to liberate them. They were in contact with these forces and received arms and equipment from the. They had outside support In the Warsaw Ghetto no one was approaching to rescue the resisters, no one was supplying them with arms, notwithstanding the trickle that came in through the Polish underground²³⁸

The Israeli Militia System

To survive the average citizen of Israel possesses firearms capable for fully automatic fire. Israel has more automatic weapons per capita than any nation than perhaps Switzerland.²³⁹ Submachine guns are a daily part of an Israeli's life. Not only is the Israeli Defense Force (IDF) fully armed at all times, but so are average citizens. The typical

farmer carries an Uzi machine pistol with him in the field. The factory worker and the housewife have Uzis nearby at all times. Few Israelis venture out in an automobile without having their machine guns by their sides. To enter into certain areas, such as the Gaza strip and the Sinai desert, areas taken from Egypt, one must, by law, be armed.

In May 1920 Jewish socialist-workers' parties created the *Irgun Hahagana Haivri Yisrael* [or *Haganah*], the Hebrew Defense Organization in Palestine. In the early 1930s the *Haganah* came under the control of the *Vaad Leumi*, a committee of representatives of various factions within the Jewish community in Palestine. In 1934 the organization of the *Haganah* was changed so that it was no longer a *levee en masse*, but a real militia with a formalized structure and organizational hierarchy.

During World War II two adjunct militias were formed. The Special Night Squads were the brainchild of British Intelligence Officer Charles Orde Wingate. They were designed to protect oil pipelines from Arab raiders. The *Palmach* were special commando companies organized to work with British forces in opposition to Nazi German forces in the Middle East.²⁴⁰ The British authorities enlisted Jews into their service to fight against the Axis powers and against the forces of occupied France (Vichy) in Syria. One of the later Israeli heroes, Moshe Dyan, lost an eye in this service. Service with the English afforded Jews another opportunity to acquire firearms for the *Haganah*. As more sophisticated and complicated weapons came into the possession of the Jews, some men in each village were trained in their maintenance and use.

Many arms went into storage and were not used until after 1948. The U.S. air cooled Browning M-1919-A4 machine guns were especially popular.

After World War II the *Haganah* was involved in smuggling European Jews into Palestine. In 1947 Great Britain

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announced that it was withdrawing its forces from Palestine. Its occupying forces had suffered many casualties at the hands of both Jewish and Arab militias and terrorists. Costs of occupation were also escalating. On 29 November the United Nations voted to create Zionist and Arab states in Palestine. British forces withdrew in May 1948 and war followed immediately.

The Jews had organized during the later years of the world war and in the years immediately following the war. The *Palmach* had 2100 men in arms with 1000 militia reserves available in an emergency. It was informally organized, enrolling both men and women, without distinction of rank and with little military discipline. The *Haganah* was directed by a full time staff and was divided into two units. The HISH was a field armed force composed of men between the ages of 18 and 25. The HIM was a force designed for garrison duty and was filled by men over the age of 25. By the end of 1947 HISH had 9500 troops and HIM had 32,000 men enrolled. The *Haganah* and *Palmach* were assisted by Supernumerary Police who functioned as a mobile strike force which protected the *moshavot* (farming villages), *moshavim* (cooperative farms) and *kibbutzim* (communes). The *Yishuv* (community) militias had enrolled 45,000 men in arms by late 1947, but had only 10,000 small arms distributed among all the militia forces.²⁴¹

In 1940 the *Gadna* youth battalions were formed. They initially distributed propaganda materials and gathered intelligence for the *Haganah*. By the beginning of the war in 1948 it had become a pre-induction youth training system. During wartime it continued to act as an auxiliary to the army. It specializes in intelligence gathering and message carrying. Its organization may also assist in hospitals and substitute for the regular postal workers. In peacetime it instructed young

Israelis in various para-military skills. It has subsequently grown into a social organization with emphasis on intellectual activities such as debating and Biblical study.²⁴² The youth brigade for physical fitness, or *Gadna*, is administered by the Board of Education. Training begins in tenth grade. It includes physical exercise, overnight marches and a ten day stint in an army-style camp. Under this program every Israeli child learns to shoot a gun. Those less than 16 years of age use blank cartridges, while the young children use live ammunition.²⁴³ An American who has studied the IDF, Jac Weller, observed that most young Israelis have had some military experience before they are inducted. Weller wrote,

Even if he hasn't had to fight off border raiders while still in his early teens, the young Israeli has usually had some small arms experience in para-military youth groups such as *Gadna* before he does his National Service. This holds true for girls as well. National Service is a universal obligation for all physically and mentally fit young Israeli men and unmarried women. It lasts 30 months and is the backbone of the Israeli Defense Force.²⁴⁴

The *Haganah* and *Palmach* were supplemented with the creation of two additional militias. The IZL (National Military Organization) and the LEHI (For the Freedom of Israel) helped to firm up the organization and enrollment of the citizen-soldiers. Two rather separate traditions grew. The *Palmach* remained undisciplined. It relied on improvised tactics and strategy. The other militias, the *Haganah*, along with the IZL and LEHI, adopted British tactics and strategy and discipline.²⁴⁵

The militia suffered from many problems in this period. Because it was organized under warlike conditions, it was less organized than other militias. There were problems of communication because many militiamen did not speak fluent Hebrew. It had no standard weaponry and equipment. Many conscripts had not even the most rudimentary militia train-

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ing.²⁴⁶

The Jewish militia forces were better equipped, trained and motivated than the Arab armies. The Jewish militia won control of about three-fourths of Palestine. The war ended with the establishment of Israel and its recognition by several major nations, but not by Arab nations. To this day only Egypt truly recognizes the legitimacy of the Jewish state. Israel remained an armed camp.

Better organization was required. The Israeli government decided to continue to base its defense of a militia system, but it wanted to have the best possible militia system.

It decided to review the Swiss militia system. In 1949 three Israel Defense Forces generals went to Switzerland to study the reserve structure of the Swiss. After reviewing the Swiss system the generals returned in 1950 and recommended that Israel arm and discipline its militia along the lines of the Swiss system. The new law that resulted from this observation was based on the Swiss system with little modification. It required all men and unmarried women²⁴⁷ beginning at age 18 to enroll in the Israel Defense Force (IDF). Upon completion of their initial training, militiamen are liable for duty 30 to 45 days a year until they arrive at age 48. The law was later amended to include militiamen in the IDF until they arrive at age 54, although in practice few are called after the age of 50 years. Women serve until they are age 24. Thus, "many Israelis refer to themselves as soldiers on leave for 11 months a year. . . . Soldiers of the reserve army are civilians in uniform."²⁴⁸ Mental and physical requirements for IDF service are relatively low. Those rejected for physical or mental deficiencies have been known to have been so disgraced that they left Israel or even taken their own lives.

The Israeli Defense Force

The Six Day War of 1967 pitted the combined British, American and Israeli forces against the combined forces of the Arab nations.²⁴⁹ Israel and its allies added additional territory in what had been Transjordan. That bitterly disputed territory has known no peace since the 1967 war. Israeli occupying forces carry a wide assortment of weapons, and Israeli citizens are more vigilant, and more fully armed, than usual in that territory. Most of the settlers moved into the left bank area are heavily armed.

The Israeli Defense Force,²⁵⁰ as we have seen, had its roots in the semi-secret Jewish army in Palestine in the inter-war period known as the *Haganah*. As an Israeli general recently noted, "Jews were not close to guns when they were outside this county. But when they came here to Israel . . . they started to collect and use guns. They never rely on the government."²⁵¹ After a major clash with Arabs in 1929 the Jews organized the *Haganah*. The majority of its members were illegal immigrants who entered Palestine clandestinely. Britain supplied the *Haganah* with some arms and ammunition, although most of it was imported illegally, often along with new illegal immigrants. Virtually every Jewish settlement acquired some arms, often obsolete or obsolescent military weapons from other nations. Some Jews acquired military experience, and undoubtedly some weapons and ammunition, by enlisting in British service during the occupation of Palestine.

All Israelis, male and female, qualify for service in the IDF. Women are trained to defend themselves, but not to enter into battle. Many young women opt to serve in the *Nahal*/settlement (see below). They serve in most capacities, including occasional service in the trenches. Map reading and communications skills, clerking and secretarial skills, and

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computer programming are especially important in the training of female militiamen. Women act as parachute packagers. They learn to use light machine guns such as the Uzi. Some female engineers serve in the IDF. Occasionally, women are deployed to dispose of bombs and engage in mine sweeping operations. Many female instructors serve in the armed corps, although they do not engage the enemy in tanks.²⁵²

Women do not serve in combat, but may serve in combat support units. The principal reason that women are not placed in potential combat roles is the fear of sexual abuse if they are captured.²⁵³ Another reason is purely religious. "A woman must not put on man's apparel, nor shall a man wear women's clothing; for whoever does these things is abhorrent to the Lord, your God."²⁵⁴ Members of the ultra-Orthodox Agudat Yisrael Party have long opposed enlisting women in the IDF. Any woman who appears before a *dayan* [religious judge] and swears that she cannot serve for religious reasons is exempted from duty. However, the woman must also swear that she is strictly Orthodox in all other ways, and false swearing can bring a substantial fine and/or imprisonment.²⁵⁵

By tradition Orthodox Jews who were studying at *Yeshivas* (seminaries for rabbis) were exempt from serving in the militia. Many youths protested these exemptions. Some militant Zionist rabbinical candidates wished to serve in the militia. The Israeli government changed the law so that entire *Yeshivas* serve for five years. Three of these years are spent in religious study and the remaining time is spent in either the Golani Brigade or in the armed corps.²⁵⁶

The *Hasbara* ("explanation and dissemination") officers operate in the IDF. This group of officers teaches Zionism and Jewish history. The corps developed during the Second World War to increase Jewish consciousness and increase the level of

motivation among the *Palmach*.

Former members of the IDF serve in the reserve after they have completed their active tour of duty. The reserve militia enrolls citizen-soldiers between the ages of 18 and 55 years of age. Reserves train for 40 days per year. Reserve officers and sergeants in the reserve serve for an additional 30 days each year. Most carry only the weapons issued to them by the IDF or the reserve. The reserves of the IDF are called into national service they can swell the ranks of the army to over a quarter million men.

Part of the annual militia training involves anti-terrorist exercises.²⁵⁷ Terrorists are a constant threat to the Israelis anywhere and everywhere. Although the police and standing army are charged with restraining the Arabs within Israel and keeping terrorists from crossing the border, they are not always successful. The civilian and the citizen-soldier must often take action without the regular authorities. A recent book noted that "virtually every Israeli has been a soldier" and that each man

returns to civilian life with a heavy burden of violent experiences and memories . . . and more often than not with a conscious or subconscious feeling that [he has] . . . luckily escaped death. . . I shall give you some figures from 1973. From among 135,678 registered offences there were 183 woundings, 217 attacks on public or police officers, and 7320 assaults.²⁵⁸

Crime has been on the rise in Israel, as it has been in nearly all major industrialized nations. The active underground and black market sales of weapons of all descriptions provides a reservoir of arms to criminals. However, Dr. Yale Lubkin of Hod Hasharon reported most captured arms end up in the collections of Israeli citizens. Many of the arms used in crimes are stolen, even rented, from IDF members. The going rate for rental of an Uzi machine pistol is \$5 per day. That small

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figure still represents more than a week's wages for an enlisted man. The government has increased penalties for the misuse of firearms and for illegal possession of arms, but without much success in stemming the crime rate.²⁵⁹

Private citizens who are not enrolled in the IDF or reserves, and who are not living on a *kibbutz* constitute a kind of home defense guard. As members of even an unenrolled militia they are entitled to keep and bear arms. Technically, they are sworn into Israeli service, but in practice they constitute a great, or unenrolled, militia.²⁶⁰

Israel and Arms

Initially, Jews in Palestine had few weapons. They acquired arms from a wide variety of sources. Many weapons came as gifts from abroad. Some came from Jews overseas to Jews in Palestine who either had no arms or who were poorly armed. Some Jews had only an ancient shotgun or pistol. As a Jew acquired a better weapon he passed along the older, poorer weapon to an unarmed friend. Constant shortages of weapons caused leaders to call for donations of arms to a particular cause. Possession then or now does not necessarily demonstrate actual ownership, and many donated, as well as stolen and commandeered, weapons were confiscated for use in times of scarcity.

The *Haganah* museum displays the wide variety of weapons used in the early years of the Jewish wars. It has a most amazing variety of small arms and hand made weapons. The *Haganah* used whatever was available. Gun collectors find the ancient American Civil War era Henry repeating rifles and Indian war era Winchester rifles to be of particular interest. The displays at the museum make the point that, when a

people is disarmed, citizen-soldiers will make do with whatever arms, new or old, good or bad, obsolete or current, military or sporting, are available can be pressed into service. Of course, the Arab militias pressed into service even older weapons, including flintlock, muzzle-loading rifles.

Through the 1948 war most Israelis used 8 m/m German Mauser rifles of World War I and II and British calibre .303 Lee-Enfield rifles of the same vintage. German, British and American machine pistols, such as the Bren and Sten guns and the M-1 "grease gun" and MG-34 were preferred when they could be obtained. The automatic arms allowed one who was not a marksman to spray his shots, rather like a garden house spray, in the general direction of his target. At close range this spray usually proved to be effective. Larger calibre machine guns are frequently deployed in the same way at longer distances. The Jews had laid away many tripod mounted large calibre machine guns before and during the world war. They retrieved these for use in the early years, when Israeli was seeking to establish its independence.²⁶¹

Israeli has had the most modern weapons available since the early 1950s. The United States has supplied Israel with state of the art weaponry, large and small. Israel bought large quantities of Belgian F.N. small arms; and it made many F.N. pattern arms under license. Every Israeli citizen-soldier is trained in the use of fully automatic weapons because they represent the state of the art in infantry weaponry. Training with automatic small arms begins early in a militiaman's service and may involve firing 900 or more rounds of ammunition. Those who experience difficulties may be taken through any aspect of basic training, including small arms firing, as many times as it takes to achieve the desired results. The armed forces training personnel seem to reserve dirty duties for those who do not adapt well to small arms training.²⁶² In recent years it has manufactured many of its own arms, including the

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popular machine pistol known as the Uzi.

The Uzi was invented by a militiaman, Uziel "Uzi" Gal.²⁶³

It fires standard 9 m/m parabellum ammunition that has served virtually every European nation since before World War I. The arm is simple to manufacture and to maintain and has an excellent reputation for reliability. In the machine pistol version it is easy to carry in a holster on a belt. It can be equipped with many accessories, including shoulder stock and bayonet and grenade launcher. Israel exports many of these machine pistols in both fully automatic and semi-automatic versions. The automatic version can also be fired in single shot bursts. This arm has become a symbol of Israeli success and independence. Most civilians who carry arms prefer the Uzi for nationalistic as much as for practical reasons.²⁶⁴

Conscripts in the IDF become familiar with a wide variety of small arms, perhaps more than any other militia-based system. Few conscripts presently are interested in learning to use obsolete and obsolescent equipment. However, it is almost imperative that IDF recruits have a good working knowledge of many current production arms. Captured Arab equipment, much of it Chinese or Russian communist in origin, is still used by both the state and by individual citizen-soldiers. Captured AK-47 communist assault rifles, especially those made in Czechoslovakia, are especially valued.²⁶⁵

Those few Israelis who have never served in the IDF are still issued arms and trained in their use. The principal group that has not served in the IDF are the many emigrants, notably those who are past age 55 when they arrived in Israel.

The status of privately owned and acquired firearms is unclear. Many Israelis acquired arms by capturing them from terrorists or in war. Technically, private ownership of firearms

for sporting purposes is strictly controlled by law. There are two types of permits issued: one for owning a firearm, and one for carrying arms. The permits cost the equivalent of \$1 a year. Most arms are capable of fully automatic fire. One frequently encounters Israeli youths walking along highways or on city streets with the omni-present Uzi slung over their shoulders. Israelis believe that it is because of the availability of arms that their cities and back country are much safer than cities in other nations. Even criminals can obtain permits for carrying arms. And the illegal arms trade is extensive. One can obtain virtually any weapon in Israel that he may desire.²⁶⁶ There is little game to hunt in Israel, and it is very difficult to distinguish between a sporting arm and a secondary militia weapon. In any event, the gun laws seem to be enforced primarily against Arabs.

Nahal Settlements

Nahal (Fighting Pioneer Youth) brigades were formed under the direction of Israeli Prime Minister David Ben Gurion. Ben Gurion insisted that all Israeli youth have some experience in agriculture. This preference was incorporated into the National Defense Law.²⁶⁷ The *Nahal* militiamen are trained in both military skills and in agricultural practices.

Nahal settlements are armed camps established to maintain Israel's borders. These camps are designed to create a viable chain of fortresses along the coast or on dangerous areas along the national boundary. They anchor a defensive perimeter. They combine military and civilian activities. Young Israelis of both genders live in the *Nahal* settlements under quasi-military camp conditions. They are governed and ordered by military leaders.²⁶⁸

The *Nahals* grew out of the older *kibbutzim*, collective farms, which were established with somewhat greater visibility

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and prominence, but with less emphasis on the military aspects. The *kibbutzim* once served as frontier outposts, but that was before the 1967 war. At present the *kibbutzim* are not either really military nor wholly civilian facilities. They are not armed to the degree than the *Nahal* settlements are. The older *kibbutzim* were not fortified to defend against more modern weapons or heavy arms, such as artillery, recoilless rifles, rockets or tanks. They often were anchored by concrete block houses. While the *kibbutzim* are not now located in militarily insecure or strategically important areas, the citizen-soldiers within are still heavily armed and thoroughly trained.

All *Nahal* settlers have already served their eighteen months of basic training. The occupants are all volunteers. Each settlement has from 150 to 200 young militia-settlers. The young men and women stationed in the *Nahals* are selected from among the many volunteers for loyalty, stamina and courage and for their ability to accept hardship, discipline and the challenge of this dangerous lifestyle. They are really not members of the IDF or the regular reserve. As civilians who are militia the men and women of the *Nahals* have considerable latitude in the selection of their jobs. They also choose their own weapons within reasonable latitudes. The settlers carry their weapons with them at all times; and those not on duty at night sleep with their arms nearby. The government ordinarily issues a quantity of weapons to the settlement. Individual permits are rarely required.²⁶⁹ One American observer, Jac Weller, an international arms expert, wrote,

Every home in these exposed villages is stocked with arms, ammunition and reserves of food and other essentials. Farmers well into middle age stand guard duty and go out on armed patrols. Some boys are combat veterans at the age of 16.²⁷⁰

The *Nahals* are farms which raise a wide variety of crops as are suited to the location. The settlers are first and foremost citizens who have assigned jobs in the private sector. Without their maintenance of the block houses in the *Nahal* system much land would be lost to the nation. The citizen-soldiers maintain the land within the *Nahals*, and much other land lying nearby. This land would be unproductive "no man's land" were it not for the *Nahals*, something Israel can ill afford. Arable land is much too valuable to yield if anything can be done to convert it to production. On the seacoast the settlers fish and otherwise harvest the sea. At night the *Nahal* settlements become armed camps. There are many weapons of small to medium size as well as armored vehicles positioned for immediate use in these armed patrol bases. They have observation posts equipped with the latest night observation devices. They dispatch night patrols frequently. Half of the militia men and women are on duty each night.²⁷¹

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Militias in Chinese Thought

It is recorded that one would-be dictator in China, Imperial Chancellor Kung Sue Hung, petitioned the Emperor Han for permission to take away the arms of the subjects of in 124, B.C. The Emperor, a good king, responded:

Your subject was heard that when the ancients made the five kinds of weapons, it was not for the purpose of killing each other, but to prevent tyranny and to punish evil. When the people lived in peace, these weapons were to be prepared against emergencies and to kill fierce animals. If there were military affairs then the weapons were used to set up defenses and form battle arrays.²⁷²

Permission to confiscate the people's arms was denied, although later Chinese emperors were less tolerant of the rights of the people.

In its first four thousand, or so, years of history philosophers and theologians of China had never attempted to justify

war on religious or moral-philosophical grounds. If anything may be said of their view of war it is that war merely proved that humans were marked with imperfections. By the time of the Three Kingdoms [A.D. 168-265] the war lord had emerged as the pre-eminent political figure in China. Power is what comes from control of arms, and war lords were the armed powers of China. Each army controlled a territory and extracted payments the war lords called taxes from the hungry peasants.

During the Sung Dynasty, c.960, A.D., war lords were subordinated to centralized power. Their standing armies were suppressed and all military officers took an oath of loyalty to the emperor. A militia replaced the war lord armies as the primary military power of China. The militia was a poorly armed, ill-directed mass of peasants who fought with whatever they could get their hands on. There was no select militia and little training or discipline. The great militia of China was easily overcome by Ghengis Khan, who captured Peking in 1214. After a succession of dynasties and many kings the alien Manchus invaded and established their "mandate of heaven" by 1644. The Manchu dynasty ruled until 1912.²⁷³

In the Far East the disarmed populace, especially the monks or priests, developed various forms of "empty hand" self defense exercises. Karate and kung fu and other forms of unarmed martial arts were the only protection of those who were not part of the Chinese professional and/ or hereditary military caste or class. Most learned, and nearly all well-fed, Chinese avoided the army. The unfed and ignorant rarely had a choice. Having nothing to do with arms, by choice or through governmental regulation, Chinese monks and philosophers defended themselves and the meager holdings of the monasteries through the "open hand" defense.

The poor had no choice. Famine was a frequent visitor to China. Land was scarce and expensive. The vast majority of

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the Chinese were wholly separated from the learned philosophers who might well have been from another planet as far as the peasants were concerned. The poor and the ignorant joined the war lord armies just to survive. Few ever became soldiers despite long service. Weapons and military strategy were antiquated, especially by the Nineteenth Century. Leaders were bandits and fanatics, but not brave and erudite statesmen or generals. Any man might enlist because there was no real military training or mentality. Enlisted men gained a reputation for cowardice, incompetence, rapine and indolence because these were the vices of the ward load generals.

Chinese philosophy offered no rational for war. Chinese religion offered no spiritual reward for even the bravest service in the most noble of causes. There was nothing to motivate or to inspire the common soldier in all Chinese thought. Few were motivated by calls to patriotism or nationalism because the majority of the ignorant only dimly grasped these concepts. There was, of course, nothing inherently inferior about the Chinese soldier. Properly motivated, indoctrinated, fed, armed and clothed he might make as good a soldier as might be found anywhere.

Mao Tse-tung grasped the idea of motivation far better than his contemporaries. "The revolutionary war is a war of the masses; it can be waged only by mobilizing the masses and relying on them."²⁷⁴ That may be the primary reason why others failed and Mao succeeded. From the inception of the communist Chinese militia [Chinese Peoples' Liberation Army] in 1927, Mao worked on motivation. "The richest source of power to wage war lies in the masses of the people."²⁷⁵ If power is what comes out of the barrel of a gun, how do we motivate the gun bearer to use the gun? Ideology was Mao's

key, a concept only vaguely grasped by Mao's nationalist opponents. In the 1930s the party developed a series of very simple slogans, including, "The party commands the gun; and the gun must never be allowed to command the Party."²⁷⁶

To Mao and his fellow Chinese communist leaders, the revolutionary guerilla is the ultimate citizen-soldier. He is a soldier only part of the time. During the years in hiding just prior to World War II, all the Chinese communists were part-time farmer-peasants. Mao planned to "organize contingents of the people's militia on a big scale."²⁷⁷

Even Mao himself grew crops in Yen-an. "The revolutionaries", wrote Mao, "are like fish that swim in the sea. The peasants are the sea." Mao noted that the militia and the Red Army complement one another. "If we had only the main forces of the Red Army without the people's guerrillas, we would be like a warrior with only one arm. . . . When we talk of the people in the base area as a factor, we mean that we have an armed people."²⁷⁸

They are the leaders of the people, never separated from the people.²⁷⁹ "All officers and fighters must bear in mind that we are the great People's Liberation Army," Mao wrote, "we are the troops led by the great Communist Party of China.

Provided we constantly observe the directives of the Party, we are sure to win."²⁸⁰

The C.P.L.A. is the heart and soul of communist Chinese control. "Without a people's army, the people have nothing."²⁸¹ It has many tasks, described by Mao in 1929. The C.P.L.A.

is an armed body for carrying out the political tasks of revolution. . . . [It] should not confine itself to fighting; besides fighting to destroy the enemy's military strength, it should shoulder such important tasks as doing propaganda among the masses, organizing the masses, arming them, helping them to establish revolutionary political power and setting up Party organizations. . . . [It] fights not merely for the sake of fighting, but in order

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to conduct propaganda among the masses, organize them, arm them, and help them to establish revolutionary political power.²⁸²

The need for the C.P.L.A. will never disappear because it "will remain a fighting force during the historical period in which classes have not been abolished and the imperialist system still exists in the world."²⁸³ The C.P.L.A. "must be maintained and developed . . . [so] no imperialist will be allowed to invade our territory again."²⁸⁴

The development and evolution of the Chinese People's Liberation Army may be divided into these periods:²⁸⁵

[1] Development, 1921-27. The communists had no army of their own in the years immediately following the creation of the party in July 1921. Communists infiltrated the Nationalist Party led by Chiang Kai-shek. Russian advisers insisted that the Chinese communists create an army of their own.

[2] The Initial Defeat, 1927-34. On 1 August 1927 the communists staged an uprising in Kiangsi province, followed by a coup in Shanghai. The peasants did not respond and the industrial workers supported Dr. Sun Yat-sen and Chiang.

[3] The Long March, 1934-35. Chiang tightened the screws, having vowed to destroy the communists once and for all. Mao led his followers on a long and tedious 6000 mile trip from Kiangsi province through seemingly impassable mountains, arriving a year later in the Shensi Mountains. Harassment from the Nationalists, famine, desertions and the hardships of travel reduced his following from over 100,000 to about 20,000.

[4] reconstruction, 1935-37. During this period Mao developed his theory, honed his thought, armed and prepared the militia, recruited followers and built his bases.

[5] The Japanese War, 1937-45. The war with Japan, by tradition, began with an incident at the Marco Polo Bridge near Peking, on 7 July 1937. By the end of August the Nationalists and the Communists had agreed to end the Civil War and fight the Japanese in a united front. The Nationalists sustained the brunt of the Japanese assault. Communist literature to the contrary notwithstanding, there is no proof the Eighth Route Army [as the C.P.L.A. was then known] ever liberated any Chinese territory. They did win in September 1937 a victory over a Japanese army at Pinghsingkuan, at a time when the Nationalists were in full retreat. It was the first victory ever for the C.P.L.A.; and thus was of enormous propaganda value.

[6] The Civil War, 1945-49. Known to the communists as the "Third Revolutionary War" or "The War of National Liberation," this was direct confrontation between the C.P.L.A. and the Nationalists. Mao defeated Chiang primarily because he had less corruption in his government, more competent officers and greater motivation among the indoctrinated militia.

[7] Consolidation of Power, 1949-53. The C.P.L.A. rooted out all "enemies of the people." Those politicians of the political left who had joined the communists late; relatively wealthy landlords; remnants of the Nationalist army and government; and religious, especially Christian, clergy were eliminated.

[8] Industrialization and the "100 Flowers" Campaign, 1953-56. The C.P.L.A. led the Five Year Plan for industrializing the nation. Mao wrote his essay, "May 100 Flowers Bloom," offering intellectuals the opportunity to criticize the Revolution and its leaders. Having smoked out the opposition, the C.P.L.A. destroyed it.

[9] The "Great Leap Forward," 1957-60. Announced in conjunction with the second Five Year Plan, the Great Leap was designed to move the collectivization of agriculture ahead

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and to develop cooperatives. The C.P.L.A. directed and assisted various industrial and agricultural collectives in building their own housing, refectories, schools and production facilities.

[10] "The Great Cultural Revolution" of 1966-69. This was essentially a movement of the masses organized by some of the communist leaders, but directed against others of the leadership. It was spearheaded by young militiamen, the Red Guards, who were especially powerful in urban areas, notably in schools and universities. The militia's role in Chinese life was greater than at any time since the revolution.

[11] Consolidation, 1969-72. The Red Guard movement stopped as quickly as it had begun. The party had been reshaped and the Maoist cult increased. The attention of the militia was diverted to the "liberation" of Taiwan.

[12] Post-Mao struggle for power. Mao died in 1977 and his death was followed by an enormous power struggle in which the militia served as a backdrop.

[13] Capitalist incentives and liberalization in 1980s. The militia served a minor role during this time.

[14] Massacre at Tianamen Square and Repression of liberals, 1989-. The C.P.L.A. was told that the young liberals were spies and counter-revolutionaries and the infamous massacre of the students ensued. The rural population, thus the vast majority of the Chinese people, knew only what the state told them over radio and television.

The Chinese People's Liberation Army [C.P.L.A.] serves the usual and common functions of militias: acting as a back-up to the regular army and as a reservoir upon which the army can draw from experienced manpower; performing civic action and domestic emergency services; and assisting the civil authorities in times of domestic crisis.

Technically the C.P.L.A. is under the control of the Ministry of National Defense. The Politburo and the Chairman of the Central Committee direct both the ministry and the C.P.L.A. Their principal tool of control are the political commissars whose job it is to make certain that the troops are properly motivated and socialized according to party standards. Most officers in the C.P.L.A. are members of the communist party. There is a political unit corresponding to every level of organization in the army.

Some hierarchy is inevitable in any armed force. Because the C.P.L.A. had developed from a peasant base it has avoided most insignia of rank. The C.P.L.A. has probably come as close as any modern army can to avoiding hierarchies. At least once each year officers must perform menial tasks usually assigned to enlisted men.

To the communist Chinese leadership the most important function of the C.P.L.A. may be socialization and education. In 1927 Mao wrote that "all the imperialist and feudal forces will be buried by the peasants" of the C.P.L.A., then called simply the Red Army.²⁸⁶ Writing in 1929, Mao argued that his enemies,

think that the task of the Red Army, like that of the White Army [the Nationalists] is merely to fight. They do not understand that the Chinese Red Army is an armed body for carrying out the political tasks of revolution. . . . [T]he role of political leadership in the . . . Red Army and the White Army are fundamentally different.²⁸⁷

Nothing was more important to the C.P.L.A. and its leaders than political agitation. During training sessions one-half or more of the time might be devoted to political instruction. In the present day this remains the case. The C.P.L.A. motivates the militiamen before it trains them in tactics and strategy.

The C.P.L.A. learned early on to be self-sufficient. If not

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earlier, by the time the militia had to regroup following the long march, it was growing its own food, making its own clothing and raising livestock. The older, first generation leaders gloried in the fact that even the most important of their number performed various domestic and housekeeping duties. To this day, the C.P.L.A. runs factories in which "volunteers" manufacture their own weapons and load their own cartridges; grow and raise their own food; make their own uniforms; and build their own barracks and armories. In recent years it has also turned a tidy profit by manufacturing consumer goods. Because of that, the C.P.L.A. was little disrupted during various periods of domestic violence, such as occurred during the Great Proletarian Cultural Revolution. The diffusion of services fitted well with Mao's "paper tiger" thesis. Of the major industrialized powers China is least vulnerable to disruption of services and supplies through the destruction of a few facilities and installations.²⁸⁸

Chinese communism was built on a wholly different base than Soviet communism. In the Russian revolution, and the subsequent communist consolidation of power, the urban workers supported the bolsheviks. The communists neutralized the peasants with a promise of, "land, bread and peace." In China the urban population in general, and the industrial workers in particular, supported Chiang. When Chiang defeated the communists in the Shanghai uprising he controlled all the industrialized areas. Mao, himself of peasant extraction,²⁸⁹ built his revolution on the peasants. Although the second congress of the communist Third International had accorded the peasantry equal status with the proletariat, no one before Mao had really recruited them into an active role in the revolutionary militia.

Mao knew only too well where the peasants directed

their hatred. The petty war lords and wealthy landlords had exploited the peasants in order to ensure their own standard of living. The taxes and rents were so oppressive that few peasants ended a year ahead. They borrowed from money lenders whose usurious rates of interest ensured perpetual servitude for generations to come. Many of the poor sold their children into slavery, and in times of famine even ate their children.

Mao knew he must win over the peasants to win the revolution. "The army must become one with the people so that they will see it as their own army. Such an army will be invincible."²⁹⁰ As long as "we rely on the people [and] believe firmly in the inexhaustible creative power of the masses," Mao wrote, "we can surmount any difficulty and no enemy can crush us, while we can crush any enemy."²⁹¹ He issued orders during the civil war to "build good relations with the masses, be concerned for them and help them overcome their difficulties. We must unite with the masses."²⁹² The more concern that the C.P.L.A. showed for the peasants the more the peasants would support them. He ordered that the C.P.L.A. must:²⁹³

- [1]. Talk politely to the peasants.
- [2]. Be fair with peasants in all business dealings.
- [3]. Return everything you borrowed from them.
- [4]. Pay for any damage you caused them.
- [5]. Never act the bully or physically abuse the peasants.
- [6]. Never damage the peasants' crops.
- [7]. Never molest the peasant women.
- [8]. Do not treat prisoners badly, especially peasants.²⁹⁴

Mao also listed the principles upon which the C.P.L.A. operated.

[1] Attack dispersed, isolated enemy forces first; attack concentrated forces later.

[2] Take the rural areas, then smaller towns and cities, and only last the larger cities.

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[3] Destroy the enemy's forces rather than hold areas.

[4] Use decidedly superior forces to surround and utterly destroy the enemy.

[5] Fight only battles one is certain to win.

[6] Always use the style of fighting we are accustomed to. That is, show courage in battle, make sacrifices, fight many successive battles within a short period of time.

[7] Strike at the enemy when he is on the move, but also destroy his bases and fortifications.

[8] Take any weak point that the enemy has inadequately defended. Wait to attack strong points and cities.

[9] Use captured arms and recruit among soldiers who have surrendered.

[10] Make good use of any lull in fighting to regroup.²⁹⁵

In March 1927 Mao announced that the communists had made some progress in reducing the power of the landlords in Hunan province and in recruiting among the peasants. One major accomplishment was the creation of a "standing irregular household militia." The organization was called "household" because some member of nearly all households had joined. The majority of the militia had been recruited from among the "armed forces of the reactionary landlords." He announced that there were some 45,000 rifles in the hands of that militia.

After the movement revolution collapsed later in 1927, many of the same militia were recruited back into landlord armies.²⁹⁶

In the early years training of the militia was minimal and equipment was scarce. There was little time for training and the troops fought mostly on courage and inspiration. "The local armed forces consist of Red Guards and insurrectionary detachments of peasants," Mao wrote, "armed with spears and shotguns."²⁹⁷

Lenin had taught that successful revolutionary militias were highly disciplined and centrally controlled. Mao preferred motivation to discipline. He relied on multiple units led by

many independent leaders. He referred to a "protracted struggle"²⁹⁸ in which no single encounter would be decisive. Each apparently minor skirmish was important because it was part of a totality. Especially during the war when the communists were opposed by both the Nationalists and the Japanese no central authority could possibly direct each and every action or skirmish.²⁹⁹

The communist government of China has developed a system of "pre-induction" training and schooling as a necessary prerequisite to induction into its army. A graded series of weapons, beginning with a military style airgun³⁰⁰, has been developed exclusively for the use of the young Chinese militiamen. Today the Chinese communists maintain the world's largest militia. Known by the Chinese character meaning "the magic sword that never rusts"³⁰¹ the militia is given the highest priority in terms of training and equipment. It has been and remains the essential base of power on which the peasant-based Red Chinese leadership is built. Even children barely able to talk have learned and repeated the virtues of the citizen-soldier idea. A popular children's song speaks of the little ones as "junior militiaman" who must "grow up fast" and "go to liberate Formosa."³⁰² These children, like their Soviet counterparts learn weapons and war and duty from their earliest exposure to state-run education.

The Chinese communist approach, while grounded in orthodox Marxism-Leninism, is uniquely the work of Mao tse-tung. Mao's fundamental principle was, "men, not machines, are decisive."³⁰³ In no war was weapons superiority a greater factor than the political motivation of the troops. This is doubly true of wars of national liberation, the holy wars of Revolutionary communist leaders. "Power," said Mao, "is what comes out of the muzzle of a gun. But it is political motivation that makes the soldier fire the gun."³⁰⁴ Before a soldier could become a part of Mao's movement he had to be politically motivated.

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This is the principle that, as the Maoists see it, provided the key to their victory over the Nationalists. Chaing Kai-Shek lost precisely because he could not motivate his American equipped troops after the Second World War.³⁰⁵

In his essay *Imperialists and All Reactionaries Are Paper Tigers*, Mao reiterated his view that men, not machines, are decisive in war. He declared war to be not only inevitable, but desirable. Its course, like the flow of history, is irreversible. Communism will win, but only after a series of extremely destructive wars. Capitalist weapons notably the atomic bomb, are paper tigers, meant to scare, but only facades over a rotten and decadent hollow shell. "In ancient warfare," Mao wrote somewhat earlier, "the spear and the shield were used."

In modern warfare "all weapons are still an extension of the spear and the shield. The bomber, the machine gun, the long range gun, and poison gas are all developments of the spear."³⁰⁶

In a future war the Red Chinese might lose a significant number of people, but the capitalist system will have disappeared forever. Because the capitalist system has little to no popular support it must depend upon nuclear deterrent for its armies composed of workers do not support its imperialistic aims. The workers are really prepared, despite capitalist propaganda appeals to nationalism and patriotism, to join hands with the revolutionary workers militias in the fraternal communist nations.

Mao's conception of the militia included using it as an arena for political education and propaganda to make every soldier "become a worker with both socialist consciousness and culture."³⁰⁷ In 1927 Mao noted that the militia had recruited militiamen from many socio-economic backgrounds and "in these circumstances the only solution is to intensify political

training."³⁰⁸ In December 1945, Mao wrote, "As for training courses, the main objective should still be to raise the level of technique in marksmanship, bayoneting, grenade throwing and the like; and the secondary objective should be to raise the level of tactics."³⁰⁹

The Soviet Militia

Soviet military theory and Communist ideology classify

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war according to a very different typography than that used in U.S. military thought. In Soviet thought, the foot soldier remains a primary consideration. Consequently, the Soviet Union, even in times of supposed thawing of relations with the West, continues to place great emphasis on the training, and the pre-induction training, of its common soldiers. This begins in the primary schools, continues through high and technical schooling and culminates in the D.O.S.A.A.F. program.

Soviet Pre-Military Training

To assure that young Soviet men ³¹⁰ receive adequate pre-induction training, Soviet youths receive in schools membership in the D.O.S.A.A.F. The U.S.S.R. over fifty years ago created the D.O.S.A.A.F. program. The Roman letters D.O.S.A.A.F stand for "the Voluntary Society for the Assistance of the Army, Navy and Air Force."³¹¹ If young men are to become a members of the pool of trained and skilled manpower the armed forces requires that they know something of those very basic physical skills the services will require.

If the foot-soldier is not obsolete, and the Soviets assert that he is not, then any sort of physical training and preparation he might receive prior to his enlistment can reduce certain basic training time and can allow the enlistment can reduce certain basic training time and can allow the armed forces to concentrate on other matters. D.O.S.A.A.F. emphasizes basic physical education and shooting skills. It prepares the future foot-soldier in the physical skills the state requires of him in wartime. D.O.S.A.A.F. sponsors competition and training in such areas as skiing, mountain climbing, parachuting, survival techniques and marching. Most of all it

concentrates on advanced marksmanship training. All participants in the D.O.S.A.A.F. program receive extensive training from professional instructors in riflmanship. Weapons training is of such great importance that D.O.S.A.A.F. maintains its own gun repair and production facilities.

D.O.S.A.A.F. is a branch of, and is responsible to, the ministry of Defense, which, in turn, is responsible to the Politburo, the Presidium of the Central Committee of the Communist Party of the Soviet Union. D.O.S.A.A.F. has at least 300,000 primary units and perhaps 65 million members.³¹²

Commonly, a youth joins D.O.S.A.A.F. at age 14, although a few are permitted to participate as young as age 10. Success in para-military skills guarantees certain benefits, including a special honors dormitory for those whose proficiency is great. Especially skilled athletes are given the best coaching available and, in the case of shooting sports, their own weapons and unlimited ammunition for practice. Instructors and coaches are selected from among skilled shooters and other athletes.³¹³ They must have an extraordinary political and militia background with few exceptions. Appropriately, D.O.S.A.A.F. personnel are often graduates of the Young Communist League (Komsomol). The Advanced International Studies Institute commented on the Soviet theme, "Defense of the Motherland [is] A Sacred Duty of Every Soviet Citizen."

While many American youths recoil before a requirement to register at age eighteen for possible military service in the case of a national emergency, their Soviet counterparts, female as well as male, have, at the same age, already devoted a goodly portion of their formative years to preparing themselves to serve the military goals of their government. Further, every male stands obligated to serve at least two years on active duty and for reserve duty for an additional

thirty years. Finally, he is subject to call for special duty as long as he is physically able.

While women are not subject to compulsory service, those with medical or other special training appropriate to military activity may be put on military rolls in peacetime and called up for practice assemblies. Also, unmarried women between the ages of 19 and 30 may volunteer for active duty and continue to serve until fifty. Presently, special attention is being given to encouraging women to enter military service.³¹⁴

The D.O.S.A.A.F. programming is supported by the all-Union Shooting Classification Committee and the "Ready for Labor and Defense" Organization (G.T.O.). Young men leaving the D.O.S.A.A.F. at about 18 are admitted regularly to G.T.O. programs. Like D.O.S.A.A.F., G.T.O. provides instruction in a number of physical fitness and paramilitary skills. It offers substantial awards, most notably for excellence in shooting sports. The language which Soviets use to urge young men to take part in such programs sounds remarkably like something which might have been taken from some credo of the National Rifle Association. The official G.T.O. guide book declares that "The shooting sport . . . more than any other sport cultivates in man high moral character, self-control, endurance, discipline and other important functions, such as sure-sightedness, self-confidence and control of one's temper" ³¹⁵

The D.O.S.A.A.F. program is not a beginning; rather, it is the final stage in an elaborate and highly developed pre-induction military training system that begins in early childhood. There is no more important task for the Soviet state than the promotion of para-military training of its citizens. Hedding Smith, who won the Pulitzer Prize for his work on "The Pentagon Papers" for the *New York Times*, headed that paper's Moscow bureau for several years in the early 1970s.

As his children were enrolled in Soviet Schools he had the opportunity to observe the Soviet system of pre-military training in its grammar school context. He wrote,

Our first exposure to this network of paramilitary activities in civilian life came when our 11-year old daughter, Laurie, went off to play zarnitsa (lightning), a war game, on Lenin Hills, organized for the sixth and seventh grades by a military instructor at her Russian school. It would all have seemed very much like a summer camp game of capture the flag except for the deadly earnestness with which it was done. Laurie came home and told us that the two grades, children from 11 to 13 had first been drilled by a uniformed army instructor in formation marching and making right faces and left faces. In our living room she demonstrated marching and faces. They were divided into two teams, one assigned blue patches to sew on their sleeves, and the other assigned green patches. The blues were given a head start to go scatter in the hills, like partisans, and the greens were to hunt them down, rip off their badges and bring them back as prisoners. "We couldn't play too long because it was very cold," Laurie said. "There was snow on the ground. I got cold because they left me guarding prisoners." Still, when the drilling and all, the expedition ran about four hours after school. It was a practice carried out in all schools. In the older grades the complexity of the game increased as the instructors introduced primitive field tactics. Playing tennis not far from Lenin Hills, I would occasionally see teams of children darting through the wood playing zarnitsa. An American university student whom I knew was amazed one day to have spotted one group of students, dressed in dark navy uniforms, not only capture their rivals but go thorough the ceremony of lining the captured partisans up against a wall and pretending to shoot them. The victims fell and died very realistically.³¹⁶

Smith reflected that the D.O.S.A.A.F. represented one of a number of activities that suggesting that the line separating civilian and military life, so pronounced in the West, was far less well defined in Soviet society. The national physical fitness program has adopted the theme, "Ready for Labor and Defense" [*gotov K Trudu i Oborone*]. The television program "Come On, Guys" is intended to popularize various military

skills among the youth by running regional and national competitions in marksmanship, the art of self-defense, and aspects of Soviet law affecting military service.³¹⁷

The Advanced International Studies Institute commented on the military preparedness of the Soviet youth,

Beginning with pre-schools throughout the U.S.S.R., children are exposed to military toys, books, films, shows, parades and an endless stream of indoctrinations glorifying the Soviet Armed Forces and military service.

At the age of eight, boys and girls join the Young Pioneers, where for the next seven years, they are taught field training, civil defense, survival techniques, first aid, military-oriented sports and games, organized discipline, and history, permeated with the World War II experiences. All this is done in a militarized atmosphere complete with drills, uniforms and a system of ranking.

Beginning in ninth grade, primary military training is introduced as part of secondary schools' curriculum for both boys and girls. It is scheduled to continue up to the time for induction -- generally for four years.³¹⁸

Recent defense ministers have echoed the words of Marshal A.A. Grechko, spoken in 1967, "the increased demands made on our soldiers and the reductions in numbers and in terms of enlistment in military service make it necessary to pre-train young people for service in the armed forces."³¹⁹ On January 1, 1966, the Soviet Union declared that all young men were, at age 17, "pre-inductees" of the armed forces. As such, they were to be schooled and trained in a wide variety of para-military skills. As the Soviet press reported, "The perfection of primary military training, the upgrading of the military-patriotic education of the adolescent generation is tantamount to manifesting a nationwide concern with the combat readiness of the Armed Forces and the defense potential of the Motherland."³²⁰ Former Soviet Chief of Staff Marshal Ogarkov stated the objectives of early pre-induction

para-military training. These programs are designed "to allow young people to join more rapidly in the general rhythm of military service, successfully master combat equipment and weapons, and become specialists in combat and political training."³²¹

The public schools in the USSR frequently offer training in riflmanship. Many schools offer instruction in weapons assembly and disassembly. Many offer instruction in the use and maintenance of sophisticated, large bore and automatic weapons. A Soviet high or trade school graduate would know a great deal about all of the basic Red Army infantry weapons.

Beyond the Soviet D.O.S.A.A.F. the nation maintains several other active programs for the support of civilian marksmanship. A portion of the Soviet state budget is allocated to the building, maintenance, and equipping of shooting ranges. Most new factories have shooting ranges in the basements. Other ranges are set up to simulate military conditions in various climates and in different areas. Shooting ranges exist along ski trails, for example, simulating conditions of arctic and winter warfare.³²²

This enormous emphasis upon pre-service civilian firearms familiarity derives, in part, from basic Marxist theory, as adumbrated by Lenin, Stalin and Mao. The Soviet D.O.S.A.-A.F. program is at based upon practical military experience.

Hunting in the U.S.S.R.

The Soviets consider hunting to be a legitimate activity that buttresses D.O.S.A.A.F. training. Any hunter, whether professional or recreational, must buy a license for ten rubles. The hunting law is based on the original drafted by Lenin and enacted on 20 July 1920. This law has been little changed. The law provides that the land on which wild games lives

belongs to the people and that any Soviet citizen may obtain a license. There are game reserves [*zapovedniks*] encompassing 3,664,170 acres. While some game species are preserved on these reserved areas, they serve principally as agricultural experimental stations. There are also special reserves on which hunting is restricted to members of hunting associations.

The Soviet Army also has formed the All-Army Hunting Society which serves as a perk to selected officers and enlisted men.

Professional hunters are placed under a "hunting enterprise" of a state or collective farm. Hunters earn their income from the sales of skins and meat. Extraordinarily talented hunters may earn a special badge of honor that mark them as "Hunters of Merit." Most professionals operate in the far eastern areas of the U.S.S.R., such as Siberia. Some collective farms in the far east earn as much as 80% of their income from hunting enterprises. In a good year the professionals harvest as many as 122 million animal hides. Snipers in wartime are recruited almost exclusively from among the many professional hunters in the rural areas of the U.S.S.R.

Soviet citizens over the age of 16 years theoretically are all eligible to purchase smooth-bore shotguns. There are several arms factories that supply civilian arms. Two state enterprises manufacture double barrel shotguns for internal use and for the export trade. The harvesting of larger animals requires that the hunters be equipped with large bore rifled arms. The Ministry of the Interior issues special permits at its discretion that allow a hunter to buy and own a rifle. Rifled arms, even of the smallest .22 rimfire calibre, are strictly controlled. Like many other nations, the U.S.S.R. strictly prohibits private ownership of guns that can fire any military ammunition. Some foreign made arms, most left over from pre-Revolutionary days, are encountered in the Soviet Union.

Many of these fire obsolete ammunition which is rare and which often must be imported. Black powder which is obsolete everywhere (except as a voluntary specialization) is more in use in recreational and hunting use in the U.S.S.R. than is modern smokeless powder. That serves as an additional and generally effective limitation on firearms. Technically, permits are also required for fixed blade, but not folding blade, knives. It appears that this law is rarely enforced.³²³

The Soviets have had considerable problems with the criminal misuse of firearms despite the fact that they have stringent gun control laws. Several Soviet factory workers were discovered to have been making illegal firearms in a machine works under the eyes of the commissars. Soviet law provides a penalty of 100 rubles and two years in prison for illegally making, keeping, supplying or carrying firearms. The laws have not stemmed the tide. Illegal firearms of all kinds have been uncovered in the U.S.S.R., most home made.³²⁴ Guns have been uncovered and removed from hiding for use in the riots and ethnic unrest in many of the Soviet republics since the disintegration of communism began in 1988.

Soviet Strategy

The Soviet Union has had disastrous experiences with the "garden hose" theory of automatic weapons marksmanship so popular in the United States today.³²⁵ As a result of the Red Army's catastrophic losses in the first several months of World War II, millions of Russian civilians who lacked practical familiarity with firearms had to be inducted. In cities like Leningrad and Moscow whole regiments of civilians were organized, given arms and immediately thrown into battle. The Russian military was forced to adopt, and test out, the notion that the celerity of automatic weapons fire had made

marksmanship skills irrelevant. The test was not a successful one, except insofar as it demonstrated that even so superb a tool as the *Wehrmacht* could be blunted by sheer numerical superiority if the defenders were willing to accept the sacrifice in human life entailed by individuality suicidal tactics.

The ill-trained, but highly motivated and self-sacrificing

Soviet soldier was one of the world's worst wastrels when it came to ammunition . . . Special tactics had to be devised to compensate for the Soviet soldier's inability to hit the target. For instance, unlike the practice in other armies, Soviet artillery fire did not cease when Soviet infantry rose out of their positions to attack. Rather, Soviet artillery continued to rain down on enemy positions even as the Soviet infantry approached, ceasing only when the attackers had closed to the point blank range which their infantry weapons could be effective.³²⁶

Soviet strategy in the 1980s and 1990s is based on Josef Stalin's five principles of Soviet strategy. When the dictator was asked what factors he considered when assessing Soviet or any other state's power, he responded by naming the following five great principles. Stalin emphasized, first, the stability of the home front. This is accomplished in large measure by complete political indoctrination.

That brings us to Stalin's second principle which is the ideological motivation and morale of the armed forces. It is supported by the propaganda aimed at the D.O.S.A.A.F. members and the inductees in the armed forces. Its effectiveness is evidenced by the generally high morale of the Red Army and the pride Soviet citizens take in the power of their armed forces. Each branch of the armed forces in the U.S.S.R. has several publications written on different levels and designed for specific deployment areas. These publications extol the alleged superiority of the Soviet armed forces over those of its potential enemies.

Third, Stalin emphasized the quantity, and, to a lesser degree, the quality of the troops available. Ever since Ghengis Khan overran medieval Russian civilization at Kiev and Novgorod, the emphasis in Russia has been on quantity over quality.

As his fourth point, Stalin spoke of the quantity, then quality, of arms available to Soviet troops. In order to supply citizen-soldiers the government has many arms retired from Red Army use. War material is never discarded. It is stockpiled against the day when it will be needed. Such stockpiles have been given frequently to governments and guerilla movements friendly to the Soviets. It is equally true that large amounts of otherwise obsolescent materials are hoarded in the Soviet Union, to be used when the Soviet militia is deployed. Stalin's theory that quantities of weapons are highly desirable has not been discarded in orthodox Marxist-Leninist thought.

In last place Stalin named the leadership and ability of army officers.³²⁷ We should not underestimate the value of trained leadership in Soviet military preparedness. The Soviets offer the equivalent of a Ph.D. in strategy and tactics at the Frunze Institute and other advanced military war colleges.³²⁸

The militia programs which provide both pre- and post-induction training provide the quantity of ideologically motivated troops. The policy of hoarding weapons underwrites the arming and supplying of the armed populace.

Nowhere are the American and Soviet views on a subject more in contrast than in the area of military strategy and the desirability and inevitability of war. Communist thought in general, and Soviet thought in particular, holds that war is both inevitable and desirable. Wars will occur and the types of war are classified by the political and economic systems of the participants.

Soviets classify four types of wars: (1) wars between

competing ideologies such as between communist and capitalist states; (2) wars of national liberation wherein only the old regime and the communists are engaged; (3) wars between imperialist-capitalist powers; and (4) wars of national liberation wherein imperialist-capitalist powers engage in the hostilities on the side of the old regime.³²⁹ The Soviets would not add to this list a fifth category wherein Communist powers war between competing Marxist-Leninist systems. Officially, they consider it impossible that fraternal socialist states might wage war against one another.

In the United States, strategists classify wars according to the levels of technology used. Different levels of technology create different types of war³³⁰ The ultimate war is a nuclear one. Other wars may be fought with more conventional types of weapons. The United States has concluded, for the last two decades, the atomic bomb as the ultimate weapon. There is, and can be, no greater power.

The Soviets wholly reject this notion. They deny that there is such a thing as an ultimate weapon. They assume that any war can be fought with many types of weapons representing many levels of technology. There is no qualitative difference between a terrorist planting a conventional bomb and a pilot dropping a nuclear device.

Despite the American experience in Vietnam, the highest level planning in this nation assumes that the foot soldier is obsolescent, perhaps wholly obsolete. Emphasis on the development of the common soldier is regarded as an absurdity. No future war will be fought, American planners believe, because mutual destruction would result, perhaps terminating life as we know it on earth. Nuclear weapons are aimed at cities. War is precluded because all civilians are hostages. No rational person would risk annihilation in a

nuclear war.

The Soviets reject this view, also. Soviet missiles with nuclear warheads are aimed at military targets more than at civilian ones. In a nuclear war the Soviet Union might lose fewer people than it lost in the Second World War. The Soviet Union has undertaken elaborate preparations to prevent another devastating war like World War II. Their strategists, from the lowest level military officer through the highest levels of political power in the Kremlin, have decided that no cost is too great if it prevents another military catastrophe.

The U.S.S.R. has developed an extensive system of civilian defense shelters. Schools, factories and public buildings built since World War II all have shelters built in. Subways and other facilities may be rapidly converted for use as civilian defense shelters.³³¹

Based on their analysis of World War II, Soviet strategists have concluded that, although many lives can be lost in the massive bombings of cities, the destruction of industries and home is not sufficient to destroy their military capability. A warring power cannot achieve victory through conventional means. In the Soviet view, the Allies won the war because allied armies in the field defeated the Japanese and Nazi armies. They did not win because of their bombing of Japanese and German cities.³³²

Marxist Ideology

Soviet military thought, reflecting what its expositors view as the lessons of recent military experience, advances the notion of citizen solidarity based upon extensive pre-service weapons familiarization. In arguing in this way, Soviet military thought dovetails nicely with the ideology of Marxist-Leninist thought concerning revolutionary and military practices. Marx,

in the *Communist Manifesto* drew attention to the important role of workers' militias. He recommended that these future fighting men, as the backbone of the proletarian fighting force, be given firearms training. Before communism achieves victory, Marx argued, there will be many battles. The workers' militia must prepare to battle with mercenary soldiers of the dying capitalist states.

By practice as well as precept, Lenin added stature to the idea of the worker's militia. It became his tool for combatting the anti-bolshevik "whites" as well as dissident minorities. Writing in Switzerland while in exile, Lenin had theorized the great universal militia would be designed to "guarantee absolute order after the proletarian revolution." In his essay, "On the Proletarian Militia," dated March 24, 1917,³³³ Lenin made it clear that the citizen-soldier would be the main base of support of the coming communist system. "Create a really universal militia, led by the proletariat! This is the task of the day."³³⁴ He recommended that it be an "army not separated from the people" as were the capitalists' mercenary armies who fight for pay. He described the revolutionary militia.

What kind of militia do we need, we, the proletariat, all the toilers? A real people's militia, i.e., first of all, one that consists of the entire population, of all the adult citizens of both sexes; secondly, one that combines the functions of a people's army with those of the police, and with the functions of the main and fundamental organ of the state system and the state administration. . . . [T]he workers and all the people as a real mass . . . will work it out and secure it a hundred times better than any theoretician can. . . . This is the kind of militia that would be, in deed, and not only in name, a people's militia. . . . Such a militia would, in 95 cases out of a hundred, be composed of workers and peasants, and would express the real will and intelligence of the overwhelming majority of the people. . . . [I]t would enjoy the full respect and confidence of the population because it would, itself, be an organization of the entire population. . . . Such a militia would draw the youngsters into political life, training them not only by word, but

by deed and work."³³⁵

The militia would recruit women as well as men. "Without tearing women away from the stupefying domestic and kitchen atmosphere it is impossible to secure real freedom" and build a satisfactory militia. Lenin would have assigned females to "social service," including welfare police, sanitary supervision, etc."³³⁶ Women of the oppressed class "will say to their sons: 'You will soon be big. You will be given a gun. Take it and learn to use it.'"³³⁷

Lenin developed a theory of the encirclement of communism by hostile capitalist powers. As he wrote in the autumn of 1919, "the victory of socialism in one country does not at one stroke eliminate all war in general. On the contrary it presupposes such wars."³³⁸ He knew that he would have to place great reliance on the citizen-militia. "Military science," he wrote, "has proved that a people's militia is quite practicable." It can "rise to the military tasks presented by a war both of offence and of attack."³³⁹ Oppressed people must learn the use of arms. "An oppressed class which does not strive to learn the use of arms, to acquire arms, deserves to be treated like slaves."³⁴⁰ The greatest and most difficult task for the people's militia "is to crush the resistance of the Bourgeoisie."³⁴¹

Lenin attacked standing armies as "the weapon of reaction, the servant of capital in its struggle against labour, the executioner of the people's liberty."³⁴² He disliked democratic militias as much as standing armies. "In every class society, whether it is based on slavery, serfdom, or on wage labour, the oppressing class is armed. The modern standing army, and even the modern militia," Lenin wrote, like Switzerland "represent the bourgeoisie against the proletariat."³⁴³ Lenin made it clear that "We are not in favour

of a bourgeois militia; we are in favor only of a proletarian militia." He singled out the United States, Norway and Switzerland for scorn. Their militias were agents of oppression, performing the same tasks as their armies.³⁴⁴

He justified wars fought in "defence of the fatherland," calling "just wars in the interests of the proletariat." These wars include wars fought "on the part of oppressed nations in their wars against the imperialist Great Powers."³⁴⁵

To win Lenin knew that he had to "transform the slavish army" into a revolutionary force. The first task always is to educate all armed fighting men in the ideology for which they are asked to enter combat. "The armed forces cannot and should not be neutral. Not to drag them into politics is the slogan of hypocritical servants of the bourgeoisie."³⁴⁶ Armed forces have wants that must be met in order to get them to fight. The communists must place all troops "on equal footing with all other citizens" and then see to their welfare, granting them

the right to read all newspapers and keep them in the barracks, freedom of conscience, equal rights to all nationalities, complete abolition of deference to all rank outside the barracks, the abolition of officers' batmen, the abolition of courts martial, jurisdiction for the civil courts over all military offences, the right to present complaints collectively, the right to defend one's self against any attempt of a superior to strike a subordinate.³⁴⁷

"Civil wars are also wars," Lenin wrote, "which in every class society are the natural, and under certain conditions, inevitable continuation, development and intensification of the class struggle."³⁴⁸ The major fighting in civil wars will be done by the "militia, or the armed nation."³⁴⁹ Therefore, "we must strive not for disarmament, but for the arming of the whole people."³⁵⁰ In the winter of 1905-06 Lenin had told the Mensheviks that "Insurrection [of the whole people] is becoming

the main form of struggle."³⁵¹

Lenin knew that the capitalists had to be disarmed in order that the communists could successfully revolt. He wrote, "One of the basic conditions for the victory of socialism [is] the arming of the workers and the disarming of the bourgeoisie."³⁵² After the revolution, Lenin reasoned, the dictatorship over the proletariat was to "make mass searches" for arms and "hold executions" for concealing arms.³⁵³ In making the revolution in Russia, Lenin courted the favor of the workers' soviets. In his appeal, Lenin argued "Only the Soviets can effectively arm the proletariat and disarm the bourgeoisie." This was an absolute condition for victory. "Unless this is done, the victory of socialism is impossible."³⁵⁴

Defeated and exiled communist leader Leon Trotsky (Lev Bronstein) pleaded for the "disarming of the bourgeoisie and the arming of the workers" in order to ensure victory in the communist revolution. The communists had to create a workers' army out of the armed workers' militia.³⁵⁵ Trotsky, whose creation of that workers' army ranks as a major achievement of the Bolshevik takeover, saw the importance of the militia. Like Lenin, Trotsky envisioned a series of "frightful collisions" between capitalism and communism. This class war was inevitable before final communist victory. Immediately after he seized power, Lenin, with Trotsky's help, created Secret Police battalions. These troops were armed with the most modern weapons available to the Soviet state. He supported the militia with an extensive training program. He expected all workers of military age to serve. Like all later Soviet leaders, Lenin lavished attention on youth who soon would be of military age.

Stalin, after consolidating power, found pre-induction training of Soviet youth mandated by practical conditions. He, too, sought to justify his militaristic policies by cloaking them in

theory. He developed the theory of "socialism in one country." This alteration of orthodox Marxism-Leninism was necessitated by the realization that communism had not spread, as Marx had predicted, like wildfire, with one communist revolution in one nation immediately telescoping into revolution in the rest. So long as the Soviet Union was surrounded by capitalist enemies there would be, inevitably and desirably, war. Stalin created and maintained that world's largest standing army, but he supported it with the world's most extensive citizen-soldier training program.

He justified his militaristic policies by advancing three arguments. An extensive militia system provided an opportunity to train the future military. Militia training gave Soviet authorities a convenient point of contact wherefrom to indoctrinate the youth. And all the armed forces gave Soviet citizens an accomplishment of which they could be proud.

Stalin knew only too well that a repressed people, if armed, might rise against a brutal and oppressive tyrant. He wrote, "If the opposition [voluntarily] disarms, well and good. If it refuses to disarm, we shall disarm it ourselves."³⁵⁶

The present Soviet leadership accepts these basics of Marxism-Leninism. While preaching peace programs and seeking arms limitations, they have continued Stalin's policy of maintaining the world's largest standing arm backed by an extensive pre-induction para-military program. As Stalin said of peace and arms limitations diplomacy, "words are one thing; actions another." He also observed that, "sincere diplomacy . . . is no more possible than dry water or wooden iron."

Against the day when this communist battle of Armageddon will take place the communist leaders of the Soviet Union and China are preparing an entire armed population to fight the workers war. Since one is not certain of

the hour or the day, one must be eternally vigilant, arming and training the population that will fight and win this holy war for Marxism.

A Curious Document

The *Dusseldorf Rules for Revolution* is a document which has been seen in excerpts for many years in the United States. Frequently, when gun control legislation is proposed, we hear from the pro-gun camp the accusation that gun control proposals are the result of a communist plot. The ultimate source of this accusation is the document known as the *Dusseldorf Rules*. In 1919 Allied powers in occupation in Germany following World War I raided the headquarters of the Spartacus League, an openly and avowedly communist organization. The *Dusseldorf Rules* included a proposal that communists should, "Cause the registration of all firearms on some pretext, with a view to confiscating them and leaving the population helpless."

The major liberal newspapers, including the *Washington Post* and the *New York Times*³⁵⁷ have questioned the authenticity of this document. J. Edgar Hoover, testifying for the Federal Bureau of Investigation on 17 April 1969 before Congress, offered his opinion that the document was probably "spurious." Later inquiries from members of Congress to the Library of Congress also came back with the same report. The political left has blamed various right wing organizations for spreading a lie and perpetrating a hoax.

The document came from a Captain Thomas H. Barber, U.S.Army, and furnished to the *New World News*, publication of the Moral Rearmament movement. The document was also published in *The American Rifleman*, publication of the National Rifle Association, in February 1946. There is no question that

Captain Barber (1889-1962) was stationed in Germany in the Civil Affairs Office in the U.S. occupied zone in May 1919, the month that the raid occurred. Captain Barber was, according to *New World News* editor John U. Sturdevant, an "aide to the Officer in Charge of Civil Affairs" in Coblenz, Germany, part of the zone occupied by American forces.³⁵⁸ A letter confirming the authenticity of the document in Captain Barber's own handwriting was reproduced in *The American Rifleman* in January 1973.

Whether the *Dusseldorf Rules* is an authentic document or not, the idea is certainly not antithetical to marxist ideology. In *The Communist Manifesto* (1848) Marx suggested that confiscation of firearms, at least of aliens, would accompany the Dictatorship of the Proletariat in the historically inevitable revolution that he preached.

Long time General Secretary of the U.S. Communist Party, Earl R. Browder, wrote, "all revolutions have been made with weapons which the overthrown rulers had relied on for their protection."³⁵⁹ William Z. Foster, long time national Chairman of the U.S. Communist Party predicted that the capitalists would be overthrown by "a firmly knit, well disciplined Red Army" and that the disarmed "class enemies of the revolution" would not be able to resist.³⁶⁰

Conclusions

Whatever the Marxist-Leninist ideology involved, very pragmatic military considerations seem to have led military theorists in the Soviet Union and the Peoples Republic of China to conclusions substantially identical to those of the Arthur D.

Little report. In implementing this policy, the Soviet Union and the Peoples Republic of China have extended governmental support to the development of the shooting sports to a degree which is inconceivable in the United States. Not even Theodore Roosevelt, Elihu Root or the leaders of the National Rifle Association have envisioned an America in which shooting ranges were a part of every new factory and in which weapons training was a regular part of primary and secondary school curricula. Even the much more modest program they did envision is today crippled, largely as a side effect of the bitterly divisive ongoing national debate as to meaning and proper role of firearms in civilian life.

If the United States is going to compete at all in this aspect of military preparedness, it must be on the same model as it competes in Olympics against the Soviets Union's government-sponsored delegations. Marksmanship must be developed in contemporary America through voluntary civilian action. Civilian arms training can come only through voluntary participation in shooting sports by millions of Americans motivated primarily by their own pleasure.

Notes

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1. Ronald B. Levine and David B. Saxe, "The Second Amendment: The Right to Bear Arms," 7 *Houston Law Review* 1 [1969] at 8.
 2. Earl Warren, "The Bill of Rights and the Military," 37 *New York Law Review* (1962) 181 at 183-84.
 3. *Etymological Dictionary of the English Language*.
 4. "Assize of Arms" of 1181 in B. Lyon (ed.). *A Constitutional and Legal History of Medieval England*. New York; 2d ed., 1980, p.273.
 5. J.J. Bagley and P.B. Rowley (eds.). *A Documentary History of England, 1066-1540*. New York, 1965. I, 155-56; dated 1253.
 6. *Johnson's and Walker's English Dictionary*. Philadelphia, 1853, p. 601.
 7. Clarence Barnhart (ed.). *The World Book Dictionary*. Chicago, 1972, II, 1306. William Morris (ed.). *The American Heritage Dictionary of the English Language*. New York, 1969, p.832, offers definitions of the militia that are essentially the same.
 8. Jim Dan Hill, *The Minute Man in War and Peace: A History of the National Guard*. Harrisburg, Pa.: Stackpole, 1963, pp.28-31.
 9. Frederick Todd, "Our National Guard: An Introduction to its History," 5 *Military Affairs* (1941) 73-86 at 73-74.
 10. Quincy Wright, *A Study of War*. Chicago: University of Chicago; 2d ed., 1965, pp. 304ff.
 11. *United States v. Miller*, 307 U.S. 174, 179-180 (1939). Similar state court opinions include, *Aymette v. State*, 21 Tenn. (2 Humph.) 154 (1840), and *Andrews v. State*, 50 Tenn. (3 Heisk.) 165 (1871). *Miller* was based heavily on the language, arguments and philosophy expressed in the two

state cases.

12. Thomas Paine wrote "[t]his continent hath at this time the largest body of armed and disciplined men of any power under Heaven." I *Collected Works of Thomas Paine* 31 (1937).

13. *Presser v. Illinois*, 116 U.S. 252, 265 (1885).

14. James Harrington, *Political Works*. (J. Pocock, ed.). New York, 1977, p. 696.

15. *Id.* at 443.

16. *id.* at 109.

17. Adam Smith, *Wealth of Nations*. 1776; Modern Library ed., 1937, p. 660

18. Hilliard d'Auberteuil, *Essai historiques et politiques sur les Anglo-Américains*. Brussels, Belgium, 1782, II, 107.

19. Comte de Guibert, *Essais General de Tactique* . . . Liege, 1771, pp. xxii and 9.

20. Sir James A.H. Murray, *A New English Dictionary of Historical Principles*. IV, 439.

21. Simeon Howard, "A Sermon Preached to the Ancient and Honorable Artillery Company in Boston," [Boston, 1773], in Charles Hyneman and Donald S. Lutz (eds.), *American Political Writing during the Founding Era, 1760-1805*. Indianapolis, In., 1983, I, 199.

22. Justice Story, 2 *Commentaries* (1851) 607

23. Benjamin Franklin, Comments on the Pennsylvania Militia Act of 1755 in Ralph Ketcham (ed.). *The Political Thought of Benjamin Franklin*.

Indianapolis, In., 1965, pp.127-30.

24. *Presser v. Illinois*, 116 U.S. 252 (1886)

25. *United States v. Miller*, 307 U.S. 174 (1939).

26. 10 *U.S.Code* section 311(a). The section reads in part, "The militia of the United States consists of all able-bodied males at least 17 years of age and, except as provided in section 313 of Title 32, under 45 years of age who are, or who have made a declaration of intention to become, citizens of the United States and of female citizens who are commissioned officers of the National Guard."

27. Orville T. Murphy, "The American Revolutionary Army and the Concept of Levee en Masse," 23 *Military Affairs* (1959) 1 at 13-20.

28. David C. Douglas (ed.), *English Historical Documents*. London, 1956, II, 416-17.

29. Lindsay Boynton, *The Elizabethan Militia, 1558-1638*. London: Routledge and Keegan Paul, 1967, p.xvii.

30. Daniel Boorstin, *The Americans: The Colonial Experience*. New York: Vintage, 1958, p.356.

31. See Halbrook *infra*

32. H. Peckman (ed.). *Sources of American Independence*. Washington, D.C., 1978. I, 176

33. F. Lee Kennett and J.L. Anderson. *The Gun in America*. Westport, Ct.: Greenwood, 1975, pp.139-41

34. The proliferation of this philosophy among American GI's may help account for the expenditure of thousands of dollars per each "kill" in the Vietnamese war; and the fact that far more ammunition had to be expended per "hit" in that war than in World War II. Recent testing has

shown that even highly trained and capable riflemen score approximately 50% more hits in semi-automatic fire than in fully automatic. Neophyte marksmen prove virtually incapable of obtaining hits in fully automatic fire. L.F. Moore, "How Effective is Automatic Fire?" *American Riflemen*, May 1980.

35. *Congressional Record*, 28 April 1958, p.6696.

36. Plato, *The Republic* (Cornford trans., 1945), p. 275.

37. Plato, *The Republic*. Francis M. Cornford, trans. Oxford University, 1945, book XVII (p.169).

38. Xenophon, *Cynegeticus*, I; *Cryopaedia*. Loeb Library edition, I, 2. 9-11; I.3, 14; VIII.1, 34-38.

39. Aristotle, *The Athenian Constitution* (Rackham trans., 1935), pp. 43-45.

40. Aristotle, *Politics* (trans. T. Sinclair, 1962), p. 68.

41. *Ibid.*, p. 79.

42. *Ibid.*, pp. 103 ff.

43. Cicero, *De Republica*. Loeb Library edition, book III.

44. Cicero, *Murder Trials*. (Michael Grant, trans., 1975), p. 275.

45. Cicero, *Selected Speeches* (trans. Michael Grant, 1969), p. 222.

46. Caesar, *The Gallic War* (H. Edwards, trans., 1966), pp. 575, 303.

47. Saint Augustine of Hippo, "The Just War," in Henry Paolucci (ed.). *The Political Writings of Saint Augustine*. Chicago: Regnery, 1962, p.165.

48. Id at 165.

49. Id. at 163.

50. Id. at 164.

51. Matthew, 8:9-10.

52. Saint Augustine, p.181.

53. Revelations 16:16.

54. Saint Augustine, pp.166-67.

55. Id. at 165.

56. I *Laws of Ine* 51.

57. Thomas More, *Utopia*, Book II, "Their Warfare." edited and translated by H.V.S. Ogden. New York, 1949, pp. 63-70.

58. Jean Bodin, *Six Books of Commonwealth* (R. Knolles, trans., 1606), p. 38.

59. Thomas Hobbes, *The Leviathan* (1964 ed.), p. 95.

60. *Ibid.*, p. 115.

61. Thomas Hobbes, *De Cive*. edited by S.P. Lamprecht. New York, 1949, XIII, 7 (pp.144-45).

62. Id., XIII, 8 (p.145).

63. Thomas Hobbes, *De Cive*. edited by S.P. Lamprecht. New York, 1949, VI, 7 (pp. 74-75).

64. John Locke, *Second Treatise of Civil Government* (1955 Chicago ed.) pp. 114-15.

65. James Harrington, *Prerogative of Popular Government* in *Political Works* (ed. J. Pocock, 1977), p. 443.

66. L.D. Cress, "An Armed Community: The Origins and Meaning of the Right to Keep and Bear Arms," 71 *Journal of History* 1 (1984), p. 24.

67. James Harrington, *Oceana*. S.B. Liljegren, ed. Heidelberg, 1924., pp. 9-10, 16, 34-35, 50-53 and 176-77.

68. Algernon Sidney's protest was published as *Discourses Concerning Government* (1698), pp. 155-57 and 420. See also, Lawrence Delbert Cross, "Radical Whiggery on the Role of the Military: Ideological Roots of the American Revolutionary Militia," 40 *Journal of the History of Ideas* (Mar. 1979) 43-60.

69. A. Sidney, *Discourses Concerning Government* (1698), p. 157.

70. Id. at 155-57

71. John Toland, *The Militia Reform'd, or, An Easy Scheme of Furnishing England with a Constant Land Force*. London, 1698, pp.3-66.

72. *Works of Sir Walter Raleigh* (1829) VIII, 22.

73. Marchamont Nedham, *Mercurius Politicus*, p. 103.

74. "A Declaration of the Commoners of England to Cromwell," [1652] in Samuel Prall (ed.). *The Puritan Revolution*. Garden City, N.Y.: Doubleday, 1968, pp.242-43.

75. John Rushworth, secretary, "The Agreement of the People," [1649] in Stuart E. Prall, *The Puritan Revolution*. Garden City, N.Y., 1968, p.235.

76. "The Case of the Army Truly Stated," [1647] in Stuart E. Prall, *The Puritan Revolution*. Garden City, N.Y.: Doubleday, 1968, pp. 125-47.

77.77. Article XXVII of "The Instrument of Government" [16 December 1653] in Stuart E. Prall, *The Puritan Revolution*, p.258.

78. Anonymous, "'A True State of the Case of the Commonwealth,'" in *The Puritan Revolution*, pp. 265-66.

79. William Prynne, "A Summary Collection of the Principal Fundamental Rights, Liberties, Properties of All Englishmen," [6 November 1656] in *The Puritan Revolution*, pp.268- 79.

80. *Political Worlds of Andrew Fletcher* (1737), p. 9.

81. Montesquieu, *Spirit of the Laws* (T. Nugent, trans.). II, 79-80

82. Stanley Hoffman, "Rousseau on War and Peace," 57 *American Political Science Review* (1963) 317-333.

83. *A Plan for Establishing and Discipling a National Militia in Great Britain, Ireland, and in all the British Dominions of America, to which is added An Appendix containing Proposals for Improving the Maritime Power of Great Britain*. The title page contains the following information: "a new edition, with a Preface/ suited to the Present State of Affairs/ London:/ printed for A. Millar, over against Katherine street in the Strand; and sold/ by M. Cooper in Pater-noster Row. 1745.

84. Id. at 9.

85. Id at 12.

86. James Burgh, *Political Disquisitions* (1774-75). 3 vols. II., 248-49, 345f, 356f, 359-60, 378ff, 390f, 396-98, 400, 404ff, 425, 430f, 434f, 439, 463ff.

87. Matthew Rokeby, *Considerations on the Measures Carrying on with Respect to the British Colonies in North America* (1774), pp. 133-35.

88. Richard Price, *Observations on the Importance of the American Revolution* (1784), pp. 16, 69 and 76.

89. William Blackstone, *Commentaries on the Law of England in Four Books*. 4th ed. ed. by James DeWitt Andrews. Chicago, 1899. I:1, pp.143-44.

90. Algernon Sidney, *Discourses Concerning Government* (1698), p.157.

91. Richard Price, *Observations on the Importance of the American Revolution* (1784), especially the pages cited by Shalhope, which are 16, 19 and 76.

92. George Jellinek, *The Declaration of the Rights of Man and of Citizens*. 1901, p.49. Jellinek stated that there were only two individual rights noted in the Bill of Rights: petition and bearing arms. Other provisions relate to duties of government.

93. Alexis de Tocqueville, *Democracy in America*. edited by H.S. Commager. New York, 1947, p. 459.

94. The prologue in Machiavelli's *Mandragola* contains an interesting warning to his critics,

Should anyone seek to cow the author by evil speaking, I warn you that he, too, knows how to speak evil, and indeed excels in the art; and that he has no respect for anyone in Italy, though he bows and scrapes to those better dressed than himself.

in Pasquale Villari, *Life and Times of Niccolo Machiavelli*. 2 vols. New York, n.d. II, 344.

95. *Mandragola*, the story of the successful seduction of a beautiful and virtuous matron, accomplished with the aid of a compliant churchman, was performed before Pope Leo X, who praised it. His Holiness recommended to Cardinal Giulio de' Medici that Machiavelli be employed as a writer. The Cardinal gave him a commission and payment of 300 ducats to write *Storie Fiorentine*, completed between 1520 and 1525. Machiavelli argued that the popes had kept Italy divided in order to advance their political aims. The only noteworthy advances had come under secular rulers. The book was dedicated to Pope Clement VII. Will Durant, *The Renaissance*. New York, 1953, pp.553-54.

96. Niccolo Machiavelli, *The Art of War*. trans. and intro. by Neal Wood. New York, 1965.

97. Niccolo Machiavelli, *The Discourses*, II, 10.

98. J.G.A. Pocock, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition*. Princeton University, 1975; Herbert Butterfield, *The Statecraft of Machiavelli*. London, 1955; Leo Strauss, *Thoughts on Machiavelli*. Glencoe, IL.: Free Press, 1958.

99. Machiavelli, *The Discourses*, III, 43.

100. Robert E. Shalhope, "The Ideological Origins of the Second Amendment," 69 *Journal of American History* 3 (1982), pp. 601-2.

101. *Art of War*, p.37.

102. *Ibid.*, p. 30.

103. *Ibid.*, at 40.

104. *Ibid.*, at 353.

105. Niccolo Machiavelli, *The Prince*, chapter 12.

106. *Id.*, at 14

107. *Art of War*, p.16.

108. Niccolo Machiavelli, *The Prince*, chapter 12.

109. Niccolo Machiavelli, *The Prince*, chapter 13.

110. *Art of War*, p. 19.

111. *The Art of War*, p. 41.

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112. *Ibid.*, at 492.
113. *The Discourses*, I, 4; III, 36; *Art of War*, I, 40-41.
114. *Art of War*, 209-10.
115. *Art of War*, pp. 4-5.
116. *Art of War*, p.74f.
117. Machiavelli, *The Discourses*, II, 18; *Art of War*, pp. 209-10.
118. *The Prince*, p.14; *The Discourses*, III, 39. Machiavelli displays here a good knowledge of Xenophon's *Cynegeticus*, especially chapter 12, which deals with military applications of hunting techniques.
119. Machiavelli, *History of Florence*, V, 1.
120. Machiavelli, *Discourses* (L. Walker, trans., 1970), note by Neal Wood, p. 33, note 27.
121. Will Durant, *Our Oriental Heritage*. New York, 1954, pp.126-27; George Maspero, *The Dawn of Civilization: Egypt and Chaldaea*. London, 1897, pp.606-07 and 722.
122. Will Durant, *Our Oriental Heritage*. New York, 1954, pp.270-71.
123. Durant, *Our Oriental Heritage*, pp.360-61; George Rawlinson, *Five Great Monarchies of the Ancient Eastern World*. New York, 1887, III, 241.
124. Will Durant, *The Life of Greece*. New York, 1939, p. 81.
125. Durant, *op. cit.*, pp. 264-65.
126. Will Durant, *Caesar and Christ*. New York, 1944, p.33.
127. Polybius, *Histories*. Loeb Library edition, III, 6

128. Durant, *op. cit.*, p. 46.

129. The First Punic War ended in 241, B.C. and was followed immediately by the revolt which lasted about 40 months, 241-237, B.C. Thomas Mommsen, *History of Rome*. 5 vols. London, 1901. Volume II covers the Punic Wars. See also R.B. Smith, *Carthage and the Carthaginians*. New York, 1908.

130. The report on the weapons produced came from Strabo, *Geography*, Loeb Library. 8 vols. Vol. III, 15. There is no surviving history of Carthage although St. Augustine, among others, had reported that there Carthaginians were learned and educated and had many volumes in their libraries.

131. Sallustius, *Works: The War with Jugurtha*, Loeb Library edition, chapters 13, 20-28.

132. Plutarch, *Lives*, Everyman Library, 1 c.

133. M. Rostovtzeff, *Social and Economic History of the Roman Empire*. Oxford, 1926, p. 445.

134. Will Durant, *Our Oriental Heritage*, pp. 465-66.

135. in Dorothy Whitelock, *English Historical Documents, c.500 - 1042*. London, 1955, I, 358.

136. Id. at 361.

137. Id. at 379.

138. Id. at 427.

139. Charles Hollister, *Anglo-Saxon Military Institutions*. Oxford University, 1962, pp.11-42; Francis Grose, *Military Antiquities Respecting a History of the British Army*. London, 1812. I, 1-2.

140. *Laws of the Earliest English Kings*. London, 1922, p. 21.

141. Stubbs, *Select Charters*, 158.
142. Grosse, *op.cit.*, pp.9-11; Bruce Lyon, *A Legal and Constitutional History of England*. New York; 2d ed., 1980, p.273; J.J. Bagley and P.B. Rowley (eds.) *A Documentary History of England, 1066-1540*. New York, 1965, II, 155-56.
143. "Assize of Arms" in David C. Douglas (ed.), *English Historical Documents, 1042-1189*. London, 1956, II, 416-17.
144. "Assize of the Forest," [2 February 1189] in Douglas, *op. cit.*, 416-420.
145. *Statuta Armourum*, 1 *Statutes of the Realm* 230. The document is authentic and certain medieval. The name of the king who issued it and even the approximate date of issue are unknown.
146. *Magna Charta*, section 61.
147. in B.D. Lyon, *A Constitutional and Legal History of Medieval England*. New York, 1960, p. 380.
148. Id. at 161.
149. Charles W. Hollister, *The Military Organization of Norman England*. Oxford University Press, 1965, pp. 12-13.
150. in B. Lyon, *A Constitutional and Legal History of Medieval England*. Oxford, 1958, p.161.
151. Statute of Winchester, 13 Edward I, ch.6.
152. Statute of Winchester, 13 Edward 1 c.6. see J.J. Bagley and P.B. Rowley, *A Documentary History of England, 1066-1540*. New York; 2d ed., 1965, p.158.
153. Whitelock, *op cit.*, I, 358.

154. *Ibid.*, I, 379.

155. 2 Edward III, c-3.

156. Ralph J. Rohner, "The Right to Bear Arms: A Phenomenon of Constitutional History," 16 *Catholic University Law Review* 53-84 at 61-62.

157. 7 Edward II; 1 *Statutes of the Realm* 170.

158. 1 Edward III, statute 2, chapter 5.

159. E.G. Heath, *The Grey Goose Wing*. London, 1971, p.109.

160. Leonid Tarassuk and Claude Blair. *The Complete Encyclopedia of Arms and Weapons*. New York, 1986, 95-101.

161. 12 Richard II, chapter 6.

162. 19 Henry VII c.4 (1503).

163. 3 Henry VIII c.13 (1511).

164. 64 Henry VIII c.4 (1514).

165. 64 Henry VIII c.13 (1514); 33 Henry VIII c.6 (1514).

166. 33 Henry VIII, chapter 6, paragraphs 6 and 7.

167. Charles Oman, *A History of the Art of War*. New York, 1937, p.288.

168. Charles Harding Firth, *Cromwell's Army*. Ford Lectures, 1900-01. New York, 1962, p.5.

169. Lindsay Boynton, *The Elizabethan Militia, 1558-1638*. London, 1967.

170. *Calendar of State Papers, Domestic, 1637-38*, p. 9; *Calendar of State Papers, Domestic, 1629-31*, pp. 80 and 95.

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171. *Calendar of State Papers, Domestic, 1628-29*, p. 10.
172. *Calendar of State Papers, Domestic, 1629-31*, p. 493.
173. Allen French, "The Arms and Military Training of Our Colonizing Ancestors," 67 *Massachusetts Historical Society Proceedings* (1941-44) 3-21.
174. *Calendar of State Papers, Domestic, 1639*, pp. 49-50.
175. *Parliamentary History of England*. London, 1807, II, 1106.
176. *Parliamentary History of England*. London, 1807, II, 1235.
177. Id. at 1354 and 1358.
178. Id. at 1357.
179. 13 and 14 Car. 2, ch.2, quoted in David I. Caplan, "The Right of the Individual to Bear Arms," 4 *Detroit College of Law Review* (1982) 797.
180. 22 Charles 2, ch. 25, paragraph 3 (1670).
181. William Blackstone, *Commentaries on the Law of England*, II, 412.
182. see, generally, on the arms question in this complex period, Joyce Lee Malcolm, *Disarmed: The Loss of the Right to Bear Arms in Restoration England*. Radcliff College, 1980. Dr Malcolm is currently working on an expanded version of this booklet.
183. 10 *Journal of House of Commons* in Id. at 798.
184. 14 *House of Lords Journal* 125; dated 12 February 1689.
185. Malcolm, *op. cit.*, p.24.
186. David I. Caplan, "The Right of the Individual to Bear Arms: A Recent Judicial Trend," 4 *Detroit College of Law Review* (1982) 800.

187. W. Blizard, *Desultory Reflections on Police; With an Essay on the Means of Preventing Crimes and Amending Criminals* (1785), pp.59-61, emphasis in original. See Caplan, *supra*.

188. William Blackstone, *Commentaries on the Law of England* (1803 ed.), II, 412.

189. *Id.* I, 121 and 144.189.

190. Lee Kennett, *French Armies in the Seven Years War*. Duke University, 1967, p.56.

191. Will Durant, *The Reformation*. New York, 1957, p.88.

192. Will and Ariel Durant, *The Age of Reason Begins*. New York, 1961, pp.386-87.

193. Jock Haswell, *Citizen Armies*. London, 1973, pp.65-93.

194. "Decree for *Levee en Masse*" [23 August 1793] in F.M. Anderson (ed.), *The Constitutions and Other Select Documents Illustrative of the History of France, 1789-1907*. University of Minnesota, 1908, pp. 184-85.

195. Phyllis Schlafly, "Swiss Civil Defense: The Real Thing," *Daughters of the American Revolution Magazine*, October 1985; reprinted by the D.A.R. as a separate pamphlet by the National Defense Committee.

196. Gross Brodmann (ed.) *Unterwegs zu einer Schweiz ohne Armee*. Zurich: Spescha, 1987.

197. R.A.I. Munday, "Switzerland Without an Army," *News Forum of the Institute for Research on Small Arms in International Security*. Vol.1, No. 2 [February 1990].

198. Schlafly, *op. cit.*

199. John McPhee, *La Place de la Concorde Suisse*. New York: Farrar,

Straus and Giroux, 1984, p. 114.

200. *Koran*, LXI, 10-13.

201. Thomas W. Lippman, *Understanding Islam: An Introduction to the Moslem World*. New York; 2d ed., 1990.

202. Majid Khadduri, *War and Peace in the Law of Islam*. Johns Hopkins University Press, 1955, pp. 56-57.

203. Khadduri, *op. cit.*, p.55.

204. Rudolph Peters, *Islam and Colonialism: The Doctrine of Jihad in Modern History*. The Hague, 1979, pp. 12-13.

205. *The Koran*, IV, 95.

206. Khadduri, *op. cit.*, p.57.

207. quoted in S. Lane-Poole, *Speeches and Table-talk of the Prophet Mohammed*. London, 1882, p.159.

208. *Suras* are the first 114 chapters of the *Koran*. Some versions, such as that of the Medes, differ slightly from the more orthodox version. Reference here is to the *Koran* 4:95 and 8:65.

209. *Sura* II, 90.

210. Khadduri, *op. cit.*, p.59.

211. *Koran* 9:29 and 9:31. Moslems call Christians and Jews *dhimmis*, "people of the Covenant," who worship the same God, Allah. Christians and Jews have imperfect copies of the book that exists perfectly only in Paradise. The *Koran* is less imperfect than the *Bible* in any of its versions. Moslems especially disagreed with the Christian doctrine of "turning the other cheek" because it implies tolerance of evil.

212. The *Koran* 2:256 says "There shall be no compulsion in religion."

213. We are at the point where Islam split into the *sunni* and *shiite* sects. Muawiyah founded the Umayyad dynasty and moved the capital from Medina to Damascus and made it an hereditary office. *Shiites* believe that he usurped the office. Moslem society was never again the religious community that the Prophet had hoped for. Lippman, *op.cit.*, chapter 6; Mohammed Abdul Rauf, *Islam: Creed and Worship*. Washington Islamic Center, 1974.

214. quoted in Will Durant, *The Age of Faith*. New York, 1950, p.188.

215. Durant, p. 190.

216. See Albert Hourani, *Minorities in the Arab World*. Oxford University, 1947.

217. *Koran*, 8:70.

218. *Koran* 5:36.

219. Will Durant, *The Reformation*, pp.708-09.

220. Peters, *op. cit.*, pp. 160-61

221. Peters, *op. cit.*, p. 155.

222. Lippman, *op. cit.*, p. 116.

223. *Koran* 2:190.

224. Peters, *op. cit.*, p.157

225. *Koran*, 9:29 and 9:31.

226. Zeev Schiff, *A History of the Israeli Army*. trans. and ed. by Raphael Rothstein. San Francisco, 1974, pp. 1ff.

227. see Tuvia Borzykowski, *Between Tumbling Walls*. Tel Aviv, Israel, 1972, especially p.29ff.

228. David Caplan, "The Warsaw Ghetto," *N.R.A. - I.L.A. Reports from Washington*, 4 May 1978, p.4.

229. Tuvia Bozikovsky in Meyer Barkai (ed., trans.). *The Fighting Ghettos: Firsthand Accounts of Jewish Resistance to the Germans*. Philadelphia, 1962, p.44

230. Leizer Levine in Barkai, *op. cit.*, p.58; also Zivia Lubetkin in Id. at 71.

231. Zivia Lubetkin in Meyer Barkai (ed., trans.). *The Fighting Ghettos: First Hand Accounts of Jewish Resistance to the Germans*. Philadelphia, 1962, pp.26-27.

232. see David I. Caplan, "The Warsaw Ghetto: Ten Handguns Against Tyranny," *NRA-ILA Reports from Washington*, 4 May 1978, p. 4.

233. Vladka Peltel in Barkai, *op. cit.*, p.32.

234. Zivia Lubetkin in Barkai, *op. cit.*, p.64ff.

235. Zivia Lubetkin in Barkai, *op. cit.*, p. 70.

236. Zivia Lubetkin in Barkai, *op. cit.*, pp. 72ff.

237. Leizer Levine in Barkai, *op. cit.*, p. 55.

238. Ben Halpern, "Self-Denial and Self Preservation: Responses to Anti-Semitism Among American Jews," in Salo W. Baron and George S. Wise (eds.). *Violence and Defense in the Jewish Experience*. Philadelphia, 1977, pp.269-70.

239. Robert Slater, "Man's Apparel Can Mean Carrying a Gun," *Washington Star*, 18 July 1978.

240. Louis Williams, *Israel Defense Forces: A People's Army*. Israel Defense Forces, Office of the IDF Spokesman, 1989.

241. Williams, *op. cit.*, p. 9.

242. Williams, *op. cit.*, p. 21.

243. *The American Rifleman*, September 1967, p.16.

244. Jac Weller in *The American Rifleman*, February 1968, p. 17. See also, Reuven Gal, *A Portrait of the Israeli Soldier*. New York, 1986.

245. Williams, *op. cit.*, p. 16.

246. Williams, *op. cit.*, p. 17.

247. Schiff, *op. cit.*, pp. 107-17.

248. Williams, *op. cit.*, p. 12.

249. Bill R. Davidson, *To Keep and Bear Arms*. New Rochelle, N.Y., 1969, pp. 23-38.

250. This account follows very closely Jac Weller, "A Nation of Armed Citizens," *The American Rifleman*, September 1970, pp. 48-51.

251. Interview with General Abraham Yoffe in 12 *Gun Week* 557 [8 July 1977] at 7.

252. Williams, *op. cit.*, pp. 321-339.

253. Richard C. Gross, "Drafting Women Isn't New In Israel," *The Atlanta Constitution*, 24 February 1980. Gross wrote, The women drafted into Israel's armed forces do not fight, are not trained for battle and in most cases do not want to fight but would if Armageddon loomed for their country."

254. Deuteronomy 22:5

255. Robert Slater, "Man's Apparel Can Mean Carrying a Gun," *The Washington Star*, 18 July 1978.

256. Williams, *op. cit.*, p. 25.

257. Schiff, *op. cit.*, pp. 218-39.

258. Haim Cohn, "Law and Reality in Israel Today," in Salo W. Baron and George S. Wise (eds.). *Violence and Defense in the Jewish Experience*. Jewish Publication Society of the United States, 1977, p. 335.

259. Yale Jay Lubkin, "Report from Israel," 259. *The American Rifleman*, January 1973, p. 47. See also, "Report from Israel," *The American Rifleman*, December 1972, p.50; and "Report from Israel," *The American Rifleman*, July 1974, p.47.

260. Interview with General Yoffe in 12 *Gun Week* 557 at 7.

261. Jac Weller, "Small Arms of the Israeli Victory," *The American Rifleman*, February 1968, pp. 17-20.

262. Jac Weller in *The American Rifleman*, February 1968, p.17.

263. Jac Weller, "A Nation of Armed Citizens," *The American Rifleman*, September 1970, pp. 49-50.

264. Jac Weller in *The American Rifleman*, February 1968, p. 18.

265. Jac Weller in *The American Rifleman*, September 1970, p. 49.

266. "Interview with General Yoffe," pp. 1 and 6-7.

267. Schiff, *op. cit.*, pp. 84-101.

268. Williams, *op. cit.*, p. 22.

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269. Jim Schneider in 12 *Gun Week* 557 at 6.
270. Jac Weller in *The American Rifleman*, February 1968, p. 17.
271. Williams, *op. cit.*, pp. 299-317.
272. Quoted in Stuart R. Hays, "The Right to Bear Arms: A Study in Judicial Misadministration," 2 *William and Mary Law Review* (1960) 381.
273. Jock Haswell, "The East is Red," in *Citizen Armies*. London: Peter Davies, 1973, pp. 164-189.
274. Mao Tse-tung, "Be Concerned with the Well-Being of the Masses . . .," [27 January 1934] in *Selected Works*, I, 147.
275. Mao Tse-tung, "On Protracted War," [May 1938] in *Selected Works*, II, 186.
276. Mao Tse-tung, "Problems of War and Strategy," [6 November 1938], *Selected Works*, II, 224.
277. Mao Tse-tung in *Quotations from Chairman Mao*, p. 49.
278. Mao Tse-tung, "Problems of Strategy in China's Revolutionary War." [December 1936] in *Selected Works*, I, 238.
279. Mao Tse-tung, quoted in, Sabine and Thorson, *A History of Political Theory*. New York: Holt, Rinehart & Winston, 1973, pp.782-89.
280. Mao Tse-tung, "Manifesto of the Chinese People's Liberation Army," [October 1947] in *Selected Works*, IV, 152.
281. Mao Tse-tung, "On Coalition Government," in *Selected Works*, III, 296-97.
282. Mao Tse-tung, "On Correcting Mistaken Ideas in the Party," *Selected Works*, I, 106.

283. Mao Tse-tung, "Report to the Second Plenary Session of the 7th Central Committee of the C.P.C.," [5 March 1949] in *Selected Works*, IV, 362.

284. Mao Tse-tung, "Opening Address at the First Plenary Session of the Chinese People's Political Consultative Conference," [21 September 1949] in *Quotations from Chairman Mao*, p.55.

285. See Roy C. Macridis, *Contemporary Political Ideologies*. Boston; 2d ed., 1986, p. 164; Jock Haswell, *op. cit.*, pp.171-72; Parris H. Chang, *Power and Policy in China*. Pennsylvania State Univ. Press, 1975; and Jack Chen, *Inside the Cultural Revolution*. New York: Macmillan, 1975.

286. Mao Tse-tung, "Report on an Investigation of the Peasant Movement in Hunan," (1927), in *Selected Works*, I, 41.

287. Mao Tse-tung, "On Correcting Mistaken Ideas in the Party," [December 1929] in *Selected Works*, I, 106-07.

288. Samuel B. Griffith, *Mao Tse-tung on Guerilla Warfare*. New York, 1961.

289. The economic status of Mao's family has been variously reported, but was probably "middle class farmer." Mao had studied the peasantry extensively in his "Report of an Investigation of the Peasant Movement in Hunan" (1927). He expressed great admiration for the stoicism, courage and forbearance of the peasants. He noted that they have been exploited by the landlords and usurers and denied the protection of government.

290. Mao Tse-tung, "On Protracted War," [May 1938] in *Selected Works*, II, 186.

291. Mao Tse-tung, "On Coalition Government," [24 April 1945] in *Selected Works*, III, 316.

292. Mao Tse-tung, "On the Chungking Negotiations," [17 October 1945] in *Selected Works*, IV, 59.

293. Note the principles formulated in "Fourteen Great Achievements" [March 1927] in *Selected Works*, I, 34-62; "A Single Spark Can Start a Prairie Fire," [January 1930] in *Selected Works*, I, 124; and in "Be Concerned with the Well Being of the Masses," [27 January 1934] in *Selected Works*, I, 147-152.

294. The order follows that given under "Discipline" in Mao's *Quotations from Chairman Mao*, p.145.

295. Mao Tse-tung, "The Present Situation and Our Tasks," [25 December 1947] in *Selected Military Writings*, 2d ed., pp. 349-50.

296. Mao Tse-tung, "Investigation of the Peasant Movement in Hunan," [1927] in *Selected Works*, I, 41 and 58.

297. Mao Tse-tung, "Struggle in the Chungking Mountains," in *Selected Works*, I, 85.

298. "On Protracted War," [May 1938] in *Collected Works*, II, 150ff.

299. Macridis, *op. cit.*, pp. 160-61.

300. Joe Chute and Bill van Rooy tested and reported on two C.P.L.A. airguns, rifle model 61 and pistol model I, in *Guns*, July 1967, pp.30-31. They noted, "Although the design of these air guns . . . is not unusual, the quality of manufacture is significant. These are not toys but serious training arms. The rifle in particular, with its military sights, would be an excellent military trainer."

301. A chapter in Samuel Griffith, *The Chinese Peoples Liberation Army*. New York: Praeger, 1967, is entitled, "The Magic Sword That Never Rusts."

302. In 1969 I purchased at a Communist Chinese book outlet in Washington, D.C., a long play record entitled, "Red Blows the East Wind." Along with songs extolling Mao Tse-tung's many alleged virtues was the "Little Militia Man" song. An insert in the record included English translations of the songs.

303. Mao Tse-tung, *Chairman Mao on Imperialists and All Reactionaries are*

Paper Tigers. Peking: Foreign Languages Publishing, n.d.

304. Mao Tse-tung, *A Single Spark Can Start A Prairie Fire*. Peking: Foreign Languages Publishing, n.d., p.14

305. Griffith, *Chinese Peoples Liberation Army*, supra

306. Mao Tse-tung, "On Protracted War," [May 1938] in *Selected Works*, II, 156.

307. Mao Tse-tung, "On the Correct Handling of Contradictions Among the People," [27 February 1957] in *Quotations from Chairman Mao*, p.92.

308. Mao Tse-tung, "Struggles in the Chungking Mountains," in *Selected Works*, I, 81.

309. Mao Tse-tung, "Policy for Work in the Liberated Areas," [15 December 1945] in *Selected Works*, IV, 76.

310. Youth training fulfills Lenin's direction to youngsters, "You will soon be big. You will need a gun. Take it and learn to use it." in Lenin's "The Military Program" in *Collected Works*, XIX, 367. In his third letter from afar, entitled "On the Proletarian Militia," Lenin also noted, "Such a militia would draw the youngsters into political life, training them not only by word, but by deed and work." in *Collected Works*, XX, 53.

311. Leon Gouré, *War Survival in Soviet Strategy*. New York, 1977; Leon Gouré, *The Military Indoctrination of Soviet Youth*. New York, 1973; John S. Reshtar, *The Soviet Polity*. New York, 1978, pp.155ff.

312. Hedding Smith, *The Russians*. New York: N.Y.Times, 1976, p.132.

313. Will N. Graves, Jr., "The Training of a Soviet Pistol Shooter: The Fundamentals as Presented to Novice Soviet Shooters," *The American Rifleman* (January 1966), pp.40-45; and "Rifle Shooting in the U.S.S.R.: A New Nation of Riflemen" *Shooting Times* (March 1969), pp. 39-45; and "U.S.S.R. Views Handguns as Sports Arms in Program," *The American*

Rifleman (March 1970), pp. 28-31, all of which drew heavily on official D.O.S.A.A.F. publications. See also Joseph E. Smith, "Soviet Target Arms," *The American Rifleman* (June 1961), pp. 33-36. Smith was a leading authority on small arms and author of the definitive study of military small arms throughout the world. Donald Parker, "The Vostok Match Pistol," *The American Rifleman* (December 1966), pp.22-23. This article deals with an Olympic-style free pistol and its use by Soviet shooters.

314. Advanced International Studies Institute, "Press Reports on Soviet Affairs," 29 September 1982.

315. from *The Official Guide Book for the G.T.O.* (1986 ed.).

316. H. Smith, *op.cit.*

317. *Ibid.*

318. Advanced International Studies Institute, "Press Release on Soviet Affairs," 29 September 1982.

319. A.A. Grechko, *On Guard Over the Peace*. Moscow, n.d., p.437; see also A.A. Grechko, *The Armed Forces of the Soviet State*. Moscow, 1973. both untranslated.

320. *Red Star*, 10 August 1982.

321. quoted in Advanced International Studies Institute, "Press Reports on Soviet Affairs," 29 September 1982.

322. see Gouré, *op. cit., supra*.

323. Nicholas W. Orloff, "Hunting in the Soviet Union," *The American Rifleman* (March 1958), pp. 15-17 and 68; and (April 1958), pp. 37-41. The Soviet Union published a two volume work, *Nastol'naya Kniga Okhotnika Sportsmena [Handbook for the Hunter and Sportsmen]*. There is also another publication on hunting in the U.S.S.R. *Nasha Okhota [Our Hunting]* Moscow, 1950. Private ownership of guns in the U.S.S.R. was well covered

in Will N. Graves, jr., "How the Soviet Controls Guns," *The American Rifleman* (January 1967), pp. 42-45; and (February 1967), pp. 38-41.

324. *The Pittsburgh Press*, 27 August 1972, p. C-26.

325. See Dean Grennell and M. Williams, *Law Enforcement Digest*. Northfield, Il.: D.B.I., 1972; John Shaw, *Red Army Resurgent*. Alexandria, Va.: Time-Life, 1972.

326. A. Werth, *Russia at War, 1941-1945*. New York: Avon, 1962. See also Shaw, *op.cit*, *supra*.

327. J.N. Mackintosh, *The Strategy and Tactics of Soviet Foreign Policy*. London, 1962; Josef Stalin, *Problems of Leninism*. Moscow: Foreign Languages Publishing House, n.d., p.84ff; Herbert S. Dinerstein, *War and the Soviet Union*. New York, 1959, pp.70ff.

328. See General Major N.M. Kiryayev, *The C.P.S.U. and the Building of the Soviet Armed Forces* (1967); and General-Colonel A.S. Zheltov, *V.I.Lenin and the Soviet Armed Forces* (1967). The latter won a Frunze price, giving it importance among upper level Soviet strategists.

329. A.A. Grechko, *The Armed Forces of the Soviet State*, pp.347-48

330. William Kaufman, *The McNamara Strategy*. New York, 1964

331. Leon Gouré, *War Survival in Soviet Strategy*, *supra*.

332. See generally P.N.S. Blackett, *Fear, War and the Bomb*. London, 1948; and Richard Pipes, "Why the Soviet Union Thinks It Can Fight and Win a Nuclear War," *Commentary*, July 1977. The signal ineffectiveness of our bombing of Germany was recently reviewed by John Kenneth Galbraith, one of the officers involved in the United States Strategic Bombing Survey in "After the Air Raids," 32 *American Heritage* 66-80 (1981) an excerpt from his memoirs, *A Life in Our Times*.

333. V.I. Lenin, "On the Proletarian Militia," [Third Letter from Afar], 24

March 1917, in *Collected Works*, XX, 45-56.

334. V.I. Lenin, "On the Proletarian Militia," in *Collected Works*, XX, 51.

335. V.I. Lenin, "On the Proletarian Militia," in *Collected Works*, XX, 52.

336. V.I. Lenin, "On the Proletarian Militia," in *Collected Works*, XX, 53.

337. V.I. Lenin, "The Military Program," in *Collected Works*, XX, 367.

338. V.I. Lenin, "The Military Program of the Proletarian Revolution," in *Collected Works*, XIX, 363-64.

339. V.I. Lenin, "The Armed Forces and the Revolution," in *Collected Works*, XIV, 56-57.

340. V.I. Lenin, "The Military Program," in *Collected Works*, XIX, 365.

341. V.I. Lenin, "The Military Program," in *Collected Works*, XIX, 364.

342. V.I. Lenin, "The Armed Forces and the Revolution," in *Collected Works*, XIV, 56.

343. V.I. Lenin, "The Military Program," in *Collected Works*, XIX, 365.

344. V.I. Lenin, "The Military Program," in *Collected Works*, XIX, 370.

345. V.I. Lenin, "The Military Program," in *Collected Works*, XIX, 364.

346. V.I. Lenin, "The Armed Forces and the Revolution," in *Collected Works*, X, 56, dated 15 November 1905.

347. V.I. Lenin, "The Armed Forces and the Revolution," in *Collected Works*, X, 55, dated 15 November 1905.

348. V.I. Lenin, "The Military Program of the Proletarian Revolution," in *Collected Works*, XIX, 363.

349. V.I. Lenin, "The Military Program of the Proletarian Revolution," in *Collected Works*, XIX, 362.

350. V.I. Lenin, "The Armed Forces and the Revolution," in *Collected Works*, XIV, 57.

351. V.I. Lenin, "Unity Congress of the R.S.L.P.," in *Collected Works*, X, 300.

352. V.I. Lenin, "The Basic Tasks of the Dictatorship of the Proletariat," *Collected Works*, XXIX, 108.

353. V.I. Lenin in 35 *Collected Works* 286. This was cited in the *Congressional Record*, 28 April 1970, p.H3601.

354. V.I. Lenin, "Theses and Report on Bourgeois Democracy and the Dictatorship of the Proletariat," 28 *Collected Works of Lenin* 466.

355. Leon Trotsky, "Manifesto of the Communist International to the Proletariat of the Entire World," in Robert V. Daniels (ed) *A Documentary History of Communism*. New York, 1960, II, 90.

356. Joseph V. Stalin, "Reply to the Discussion on the Political Reports of the Central Committee," 7 December 1927. 10 *Collected Works of Stalin* 378.

357. "Communist 'Rules' for Revolt Viewed as Durable Fraud," *New York Times*, 10 July 1970. The *Washington Post* article was inserted into the *Congressional Record*, 29 July 1970, S12303.

358. Ashley Halsey, Jr., "Ending the Mystery of the 'Rules'," *The American Rifleman*, August 1970; E.B. Mann, "The Mann Says," *Gun World*, December 1972; Ashley Halsey, Jr. "Mystery of the 'Rules,'" *The American Rifleman*, January 1973.

359. Earl Browder, *What is Communism?* New York, 1936, p.165.

360. William Z. Foster, *Toward Soviet America*. New York, 1961, pp.274-75.

Bibliography

Armée Suisse. This book is issued annually by the Swiss government and is sold in most book stores. It contains all things that a citizen-soldier in Switzerland must know. It discusses their rights and privileges, strategy and tactics, equipment and organization and the role of the individual citizen-soldier. The photographs of current equipment are interesting and the accompanying text is fully descriptive. The 1988 edition contains 372 pages of fine print text. Soldiers must buy this booklet out of their own funds.

Brodmann, Gross (ed.). *Unterwegs zu einer Schweiz ohne Armee*. Zurich, 1987.

Frisch, Max. *Dienstbüchlein*

_____. *Schweiz ohne Armee: ein Palaver*. Zurich, 1987.

Guisan, *Notre peuple et son Armee*. Zurich, 1938.

Heer, Eugen. "Swiss Shoot Holes in Anti-Gun Position," *American Rifleman* (November 1978), p.34f.

McGuire, Frank G. "How Swiss Gun Laws Work," *American Rifleman* (December 1966), pp.44-45.

McPhee, John. *La Place de la Concorde Suisse*. New York: Farrar, Straus

& Giroux, 1984.

Miller, Douglas. The Swiss at War

Munday, R.A.I. "Switzerland Without an Army," 1 News Forum of the Institute for Research on Small Arms in International Security 2 (1990).

Schlafly, Phyllis, "Swiss Civil Defense: The Real Thing," Daughters of the American Revolution Magazine (Oct. 1985). Reprinted by the D.A.R. National Defense Committee.

"Swiss Citizenry Armed, Crime Rate Very Low," Gun Week (1 April 1977), p.10.

"Swiss Army: Citizens' Privilege." Los Angeles Times, 1 October 1980.

Bibliography

Document Collections

American Archives. Peter Force, ed. 9 vols in series IV and V.
Washington, D.C., 1837-1853.

Archives of Maryland. W.H. Browne, ed. Annapolis, Md., 1893-1912.

Archives of the State of New Jersey. William Whitehead and others, ed.
36 vols. Newark, N.J., 1880-1941.

Bagley, J.J. and P.B. Rowley (eds.). A Documentary History of England,
1066-1540. New York, 1965.

Colonial Records of the State of Georgia. Allen D. Chandler, comp.
Atlanta, Ga., 1904-1916.

Colonial Records of North Carolina. William L. Saunders, ed. Raleigh,
N.C., 1886-1890.

Colonial Records of South Carolina: Journal of the Common House of

Assembly. J.H. Easterby and others, eds. Columbia, S.C., 1951. 11 vols to date. Volumes in this series are still coming out.

The Compact with the Charters and Laws of the Colony of New Plymouth. William Brigham, editor. Boston, 1836.

Constitutions and Other Select Documents Illustrative of the History of France, 1789-1907. University of Minnesota, 1908.

Daniels, Robert V. A Documentary History of Communism. New York, 1960.

Debates and Proceedings in the Congress of the United States. J. Gales, ed.

Debates in the Several State Conventions on the Adoption of the Federal Constitution. Jonathan Elliot, ed. 5 vols. Philadelphia, 1836-45.

Delaware Archives. 5 vols. Military Records. Wilmington, De., 1916.

Documentary History of Rhode Island. Howard M. Chapin, ed. Providence, R.I., 1916-19.

The Documentary History of the Ratification of the Constitution. 3 vols. Merrill Jensen, ed. Madison, Wisconsin, 1976-78.

Documents Illustrative of the Formation of the Union of American States. 69th Congress, 1st Session, House Document 398 [1927].

Documents and Records Relating to the State of New Hampshire ... from 1776 to 1783. Nathaniel Bouton, comp. Concord, 1874.

Documents Relating to the Colonial History of New York. Albany, N.Y., 1861.

Documents Relating to Indian Affairs: Colonial Records of South Carolina. 3 vols to date. William McDowell, ed. Columbia, S.C., 1958.

Douglas, David (ed.). English Historical Documents, 1042-1189. London, 1956.

The Federal and State Constitutions, Colonial Charters and Other Organic Laws of the States, Territories and Colonies Now or Heretofore Forming the United States of America. Francis N. Thorpe, ed. 7 vols. Washington, D.C., 1909.

Hyneman, Charles S. and Donald S. Lutz (eds.). American Political Writing During the Founding Era, 1760-1805. 2 vols. Indianapolis, In., 1983.

Jesuit Relations and Allied Documents. 78 vols. Edna Kenton, ed. New York, 1925.

Journals of Congress. 13 vols. Philadelphia, 1800-01.

Journals of the Continental Congress. W.C. Ford, editor. Washington, 1904-37.

A Journal of the Proceedings in Georgia, Beginning October 20, 1737. William Stephens' diary. London, 1742.

Kaminski, J. and G. Saladino (eds.). Documentary History of the Ratification of the Constitution. University of Wisconsin, 1981.

Letters on the American Revolution. ed. by Margaret Willard. Boston, 1925.

New York Colonial Documents. Edmund B. O'Callaghan, ed. 15 Vols. Albany, N.Y., 1853-1887.

North Carolina Moravian Records. Adelaide Fries and others, eds. 10 vols. Raleigh, N.C., 1922-1926.

North Carolina State Records. Walter Clark and William L. Saunders, eds. 16 vols. Raleigh, N.C., 1886-1905.

Pamphlets on the Constitution of the United States. ed. by P. Ford. Washington, 1888.

Pennsylvania Archives. J.H. Linn and W.H. Egle, eds. 9 series. Pennsylvania Colonial Records. 16 vols. Harrisburg, Pa., 1852-1860.

The Provincial and State Papers of New Hampshire. Nathaniel Bouton and others, eds. Concord, N.H., 1876-1943.

Public Records of the Colony of Connecticut, 1636-1776. James H. Trumbull and Charles J. Hoadly, eds. 15 vols. Hartford, Ct., 1850-1890.

Public Records of the State of Connecticut. Charles J. Hoadly and Leonard W. Labaree, eds. 9 vols. Hartford, Ct., 1894-1953.

Records of Connecticut Men in the Military and Naval Service During the War of the Revolution. Hartford, Ct., 1889.

Records of the Colony of Rhode Island and Providence Plantation in New England. John Russell Bartless, ed. 10 vols. Providence, R.I., 1856-1865.

Records of the Governor and Company of Massachusetts Bay in New

England. Nathaniel B. Shurtleff, ed. 5 vols. Boston, 1854.

The Records of the Federal Convention of 1787. Max Farrand, ed. 4 vols. New Haven, 1937.

Records of the State of Rhode Island. John Russell Bartlett, ed. Providence, R.I., 1865.

Sources of American Independence. H. Peckman, editor. Washington, 1978.

Storing, Herbert J. ed. The Anti-federalist Abridgement: The Abridgement of the Complete Anti-federalist. The complete set comprises 7 vols, including the abridgement and What the Anti-federalists Were For: The Political Thought of the Opponents of the Constitution. Chicago,

Vaughan, Alden T. (comp.). Chronicles of the American Revolution. New York, 1965.

Whitelock, Dorothy (ed.). English Historical Documents, c.500-1042. London, 1955.

Books

Adams, John. A Defence of the Constitutions of Government of the

United States of America. London, 1787-88.

_____. *Thoughts on Government*. Boston, 1776.

_____ and Abigail Adams. *Familiar Letters of John Adams and his Wife Abigail Adams During the Revolution*. Charles Adams, editor. Boston, 1857.

Alden, John R. *A History of the American Revolution*. New York, 1969.

Alexander, Norman. *Rights of Aliens Under the Federal Constitution*. Montpelier, Vt., 1931.

American Charters, Constitutions and Organic Laws, 1492-1908. F. Thorpe, ed. New York, 1909.

American Heritage Book of the Revolution. New York, 1958.

A Plan for Establishing and Disciplining a National Militia in Great Britain, Ireland and in all the British Dominions of America, to which is Added An Appendix Containing Proposals for Improving the Maritime Power of Great Britain. London; 2d ed., 1745.

Aristotle. *Politics*. Trans. T. Sinclair. New York, 1962.

_____. The Athenian Constitution. A. Rackham, translator. New York, 1935.

Armée Suisse. annual publication of the government of Switzerland.

Attenborough, F. (ed.). The Laws of the Earliest English Kings. London, 1922.

Augustine. The Political Writings of Saint Augustine. ed. by Henry Paolucci. Chicago, 1962.

Bakal, Carl. The Right to Bear Arms. New York, 1966. The title of the second edition was more descriptive of its contents: No Right to Bear Arms. New York, 1972.

Baranov, B.I. General-lieutenant. Textbook for Teaching the Young Soldier. untranslated Soviet publication, 1973.

Baron, Salo and George Wise. Violence and Defense in the Jewish Experience. Jewish Pub. Soc. of America, 1977.

Bining, Arthur C. British Regulation of the Colonial Iron Industry. Philadelphia, 1933.

Bishop, J.L. A History of American Manufactures, 1608-1860. 2 vols. Philadelphia, 1864.

Blackett, P.M.S. Fear, War and the Bomb. London, 1948.

_____. Studies of War. New York, 1962.

Blackmore, Howard L. Gunmakers of London. York, Pa., 1986.

Blackstone, William. Commentaries on the Laws of England. 2 vols. Thomas M. Cooley, ed. Chicago, 1884.

Blizard, William. Desultory Reflections on Police; With an Essay on the Means of Preventing Crimes and Amending Criminals (1785).

Bodin, Jean. Six Books of the Commonwealth. (1606). K.D. McRae, trans. Cambridge, Mass., 1962.

Boehret, Paul C. Arming the Troops, 1775-1815. Easton, Pa., 1967.

Bolles, Albert S. Pennsylvania: Province and State. Philadelphia, 1890.

_____. Industrial History of the United States from Earliest Settlements to the Present Time. Norwich, Ct., 1881.

Bolton, Charles K. The Private Soldier Under Washington. New York, 1902.

Boorstin, Daniel. The Americans: The Colonial Experience. New York, 1958.

Borzykowski, Tuvia and Meyer Barkai. editors and translators. The Fighting Ghettos: Firsthand Accounts of Jewish Resistance to the Germans. Philadelphia, 1962.

Borzykowski, Tuvia. Between Tumbling Walls. Tel Aviv, Israel, 1972.

Bowen, Francis (ed.). Documents on the Constitution of England and America. Cambridge, Ma., 1854.

Bowett, D.W. Self-Defense in International Law. New York, 1958.

Boynton, Lindsay, The Elizabethan Militia, 1558-1638. London, 1967.

Brant, Irving. The Bill of Rights: Its Origin and Meaning. Indianapolis, In.,

1965.

Bridenbaugh, Carl. *The Colonial Craftsman*. New York, 1950.

Browder, Earl. *What is Communism?* New York, 1936.

Brown, M.L. *Firearms in Colonial America, 1492-1792*. Washington, D.C., 1980.

Burgh, James. *Political Disquisitions, or, An Enquiry into Public Errors, Defects and Abuses*. 3 vols. London, 1774-75.

Burns, Edward M. *James Madison: Philosopher of the Constitution*. Rutgers University, 1938.

Butterfield, Herbert. *The Statecraft of Machiavelli*. London, 1955.

Caesar, Julius. *The Gallic War*. trans. H. Edwards. New York, 1966.

Chang, Parris H. *Power and Policy in China*. Pennsylvania State University Press, 1975.

Chen, Jack. Inside the Cultural Revolution. New York, 1975.

Cicero. Murder Trials. trans. Michael Grant. New York, 1975.

_____. Selected Speeches. trans., ed. Michael Grant. New York, 1969.

Clark, Victor S. History of the Manufactures in the United States. 3 vols. New York, 1929.

Cochran, Thomas C. and Wayne Andrews (eds.). Concise Dictionary of American History. New York, 1962.

Commager, Henry S. and others (eds.). The Spirit of '76. New York, 1958.

Corwin, Edward Samuel. The "Higher Law" Background of American Constitutional Law. Cornell University, 1935.

Cress, Lawrence Delbert. Citizens in Arms: The Army and Militia in American Society to the War of 1812. U. North Carolina, 1982.

Crozier, William A. The Virginia Colonial Militia. Baltimore, 1905.

Dinerstein, Herbert S. War and the Soviet Union. New York, 1959.

Cruikshank, C.G. Elizabeth's Army. Ohio University; 2d ed., 1964.

Dietze, Gottfried. The Federalist: A Classic on Federalism and Free Government. Johns Hopkins University, 1960.

Doddridge, Joseph. Notes on the Settlement and Indian Wars of the Western Parts of Virginia and Pennsylvania from 1763 to 1783. Pittsburgh, Pa., 1912.

Drake, Samuel A. (ed.). Bunker Hill: The Story Told in Letters from the Battlefield. Boston, 1875.

D'Auberteuil, Hilliard. Essai historiques et politiques sur les Anglo-Americanis. Brussels, Belgium, 1782.

Davidson, B.R. To Keep and Bear Arms. New Rochelle, N.Y., 1969.

Dinerstein, Herbert S. War and the Soviet Union. New York, 1959.

Durant, Will. Our Oriental Heritage. New York, 1954.

_____. The Life of Greece. New York, 1939.

_____. Caesar and Christ. New York, 1944.

_____. The Reformation. New York, 1957.

Ekrich, A.A., Jr. The Civilian and the Military. New York, 1956.

Etymological Dictionary of the English Language. Oxford, 1888.

Farb, Peter. Man's Rise to Civilization . . . New York, 1968.

Farrand, Max. The Framing of the Constitution of the United States. Yale University, 1967.

Firth, Charles H., Cromwell's Army. New York, 1962.

Fletcher, Andrew. A Discourse of Government with Relation to Militias. in The Political Works of Andrew Fletcher. London, 1737.

Ford, Paul L. (ed.). Essays on the Constitution of the United States, Published During its Discussion by the People, 1787-1788. Brooklyn, N.Y., 1892.

Foster, William Z. *Toward a Soviet America*. New York, 1961.

Franklin, Benjamin. *The Political Thought of Benjamin Franklin*. ed. by Ralph Ketcham. Indianapolis, In., 1965.

_____. *The Papers of Benjamin Franklin*. ed. by Leonard W. Larabee. Yale University, 1959-.

Freeman, Edward A. *History of the Norman Conquest*. 6 vols. London, 1867-79.

Frisch, Max. *Schweiz ohne Armee: ein Palaver*. Zurich, Switzerland, 1987.

Frothingham, R. *History of the Siege of Boston*. New York, 1903.

Gal, Reuven. *A Portrait of the Israeli Soldier*. New York, 1986.

Gardner, Robert. *Arms Fabricators, Ancient and Modern*. Columbus, Ohio, 1934.

_____. *American Arms and Arms Makers*. Columbus, Ohio, 1938.

_____. Five Centuries of Gunsmiths, Swordsmiths and Armorers. Columbus, Ohio, 1948.

_____. Small Arms Makers. New York, 1963.

Garthoff, Raymond L. The Soviet Idea of the Future War. New York, 1959.

_____. Soviet Strategy in the Nuclear Age. New York, 1958.

Gill, Harold B., Jr. The Gunsmith in Colonial Virginia. Charlottesville, Va., 1974.

Gouré, Leon. War Survival in Soviet Strategy. New York, 1976.

_____. The Military Indoctrination of the Soviet Youth. New York, 1973.

Grechko, A.A. General. On Guard Over the Peace. Moscow, n.d.

_____ and others. The Armed Forces of the Soviet State. Moscow, 1974.

Greenwood, Colin. Firearms Control: A Study of Armed Crime and Firearms Control in England and Wales. London, 1972.

Grennell, Dean. Law Enforcement Handgun Digest. Chicago, 1972.

Griffith, Samuel. The Chinese Peoples Liberation Army. New York, 1967.

Grose, Francis. Military Antiquities Respecting a History of the British Army. London, 1812.

Guibert, Comte de. Essais general de tactique . . . Liege, Belgium, 1771.

Guisan, M. Notre Peuple et son Armee. Zurich, Switzerland, 1938.

Hamilton, Alexander. The Law Practice of Alexander Hamilton. 3 vols. ed. by J. Goebel. New York, 1964.

Hamilton, T.M. (ed.). Colonial Frontier Guns. Chadrin, Nb., 1980.

Hanna, Charles F. The Wilderness Trail. 2 vols. New York, 1912.

Harrington, James. *Political Works*. J. Pocock, ed. New York, 1977.

Haswell, Jock. *Citizen Armies*. London, 1973.

Hatch, L.C. *The Administration of the American Revolutionary Army*. New York, 1904.

Heath, E.G. *The Grey Goose Wing*. London, 1971.

Herrick, Cheeseman A. *White Servitude in Pennsylvania: Indentured and Redemptionist Labor in Colony and Commonwealth*. Philadelphia, 1926.

Hicks, James. *U.S. Ordnance*. Hollywood, Ca., 1957.

Hill, J.D. *The Minuteman in War and Peace*. Harrisburg, Pa., 1963.

Hobbes, Thomas. *The Leviathan*. New York, 1964.

_____. *De Cive*. ed. by Sterling P. Lamprecht. New York, 1949.

Hollister, C.W., *The Military Obligation of Norman England*. Oxford, 1965.

_____. Anglo-Saxon Military Institutions. Oxford University, 1962.

Hourani, Albert. Minorities in the Arab World. Oxford University Press, 1947.

Howard, Michael, The Theory and Practice of War. London, 1965.

Huddleston, J.D. Colonial Rifleman in the Revolution. York, Pa., 1978.

Jacobs, James R. The Beginnings of the United States Army, 1783-1812. Princeton U., 1947.

James, A.E. Chester County Clocks and Their Makers. Chester, Pa., 1947.

James, G. (ed.). Guns and Ammo Guide to Guns for Home Defense. Chicago, 1975.

_____. Guns for Home Defense. Los Angeles, 1975.

Jefferson, Thomas. The Papers of Thomas Jefferson. Julian P. Boyd and others, eds. 20 vols. Princeton, N.J., 1950-

Jellinek, George. The Declaration of the Rights of Man and of Citizens.

New York, 1901.

Jensen, Merrill. *A New Nation: A History of the United States During the Confederation*. New York, 1950.

Jordan, William. *The Life of William Henry*. Lancaster, Pa., 1910.

Kapp, Frederick. *Life of Frederick William von Steuben*. New York, 1859.

Kauffman, Henry J. *The Pennsylvania-Kentucky Rifle*. Harrisburg, Pa., 1960.

Kaufman, William. *The McNamara Strategy*. New York, 1964.

Kelley, J. *Pennsylvania: The Colonial Years*. New York, 1980.

Kennett, Lee. *French Armies in the Seven Years War*. Durham, N.C., 1967.

Kenyon, Cecelia (ed.). *The Antifederalists*. Indianapolis, In., 1966.

Ketcham, Ralph. *The POLitical Thought of Benjamin Franklin*. Indianapolis, In., 1965.

Khadduri, Majid. War and Peace in the Law of Islam. Johns Hopkins University Press, 1955.

Kindig, Joe, Jr. Thoughts on the Kentucky Rifle in its Golden Age. York, Pa.; 2d ed., 1984.

Kiryayev, N. M. The C.P.S.U. and the Building of the Soviet Armed Forces. Moscow, Russia, 1967.

Klönne, Arno. Hitler-jugend. Hanover, Germany, 1960.

Kohn, Richard H. Eagle and the Sword: The Federalists and the Creation of the Military Establishment in America, 1782-1802. New York, 1975.

Koontz, Louis K. The Virginia Frontier. Baltimore, 1925.

Krug, A.S. Firearms Registration: Costs versus Benefits. Riverside, Ct., 1970.

Kukla, Robert. Gun Control. Harrisburg, Pa., 1973.

Lane-Pool, S. editor. Speeches and Table Talk of the Prophet Mohammed. London, England, 1882.

Lee, Charles. *Strictures on a Pamphlet Entitled, a "Friendly Address to All Reasonable Americans, on the Subject of Our Political Confusions," Addressed to the People of America.* Philadelphia, 1774.

Lee, Henry and J.F. Clarke. *The Militia of the United States.* Boston, 1864.

Lee, Richard Henry [?]. *Letters from the Federal Farmer.* Philadelphia, 1788.

Lefler, H.T. and A.R. Newsome. *North Carolina.* University of North Carolina, 1954.

Lenin, V.I. *Collected Works.* Moscow, Russia, n.d.

Letters from the Federal Farmer to the Republican. Walter Bennett, editor. University of Alabama, 1975.

Lewis, Virgil A. *The Soldiery of West Virginia in the French and Indian Wars; Lord Dunmore's War; the Revolution; the Later Indian Wars; the Whiskey Rebellion . . .* Baltimore, Md., 1972.

Lippman, Thomas W. *Understanding Islam: An Introduction to the Moslem World.* New York; second edition, 1990.

Locke, John. *Second Treatise of Civil Government*. Chicago, 1955.

Lorenz, Konrad. *On Aggression*. New York, 1966.

Lyon, B.D. *A Constitutional and Legal History of Medieval England*. New York; 2d ed., 1980.

Machiavelli, Niccolo. *Art of War*. translated and edited by Neal Wood. Indianapolis, In., 1965.

_____. *The Prince and the Discourses*. Modern Library edition, 1937.

Mackintosh, J.M. *The Strategy and Tactics of Soviet Foreign Policy*. London, 1962.

MacMinn, Edwin. *On the Frontier with Colonel Antes*. Camden, N.J., 1900.

Madison, James. *Journal of the Federal Constitution Kept by James Madison*. 2 vols. Chicago, 1898.

Malcolm, Joyce Lee. *Disarmed: The Loss of the Right to Bear Arms in Restoration England*. Radcliffe College, 1980.

Malloy, William (ed.). *Treaties, Conventions, International Acts, Protocols and Agreements Between the United States and Other Powers, 1776-1937*. Washington, D.C., 1910.

Mao Tse-tung. *Selected Works*. Peking, China, n.d.

_____. *Quotations from Chairman Mao*. Peking, China, n.d.

Maspero, George. *The Dawn of Civilization: Egypt and Chaldaeae*. London, 1897.

Mayer, Brantz. *Tah-Gah-Jute, or, Logan and Captain Michael Cresap*. Baltimore, 1851.

McPhee, John. *La Place de la Concorde Suisse*. New York, 1984.

Millspaugh, Arthur C. *Crime Control by the National Government*. Washington, 1937.

Mommsen, Thomas. *History of Rome*. 5 vols. London, 1901.

More, Thomas. *Utopia*. edited and translated by H.V.S.Ogden. New York, 1949.

Murray, J.A.H. *A New English Dictionary of Historical Principles*. London, 1908.

Myers, D.P. *Massachusetts and the First Ten Amendments to the Constitution*. 74th Congress, 2d Session, Senate Document 181, 1936.

Newman, Harry W. *The Flowering of the Maryland Palatinate*. Washington, D.C., 1961.

Newton, George D. and Franklin L. Zimring. *Firearms and Violence in American Life. A Staff Report to the National Commission on the Causes and Prevention of Violence*, 1970.

Nickerson, Hoffman, *The Armed Horde*. New York, 1942.

Notes on the Federal Constitution of 1787, Reported by James Madison. Athens, Ohio, 1966.

O'Brien, M.J. *A Hidden Phase of American History*. New York, 1919.

Oman, Charles. *A History of the Art of War*. New York, 1937.

Paine, Thomas. *Common Sense and Other Political Writings*. ed. by Nelson W. Adkins. Indianapolis, In., 1953.

Palmer, John M. *General von Steuben*. Yale University, 1937.

Paolucci, Henry. *The Political Writings of Saint Augustine*. Chicago, 1962.

Pargellis, Stanley (ed.). *Military Affairs in North America, 1748-1765*. Hampden, Ct., 1969.

Peters, Rudolph. *Islam and Colonialism: The Doctrine of Jihad in Modern History*. The Hague, Netherlands, 1979.

A Plan for Establishing and Discipling a National Militia in Great Britain, Ireland and All the British Dominions of America, to which is added, An Appendix Containing Proposals for Improving the Maritime Power of Great Britain. London, 1745.

Plato. *The Republic*. Francis M. Cornford, translator. New York, 1945.

Plutarch. *Lives*. Everyman's Library, n.d.

Polybius. Histories. Loeb Library, n.d..

Pocock, J.G.A. *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition*. Princeton University Press, 1975.

Poole, L., *Medieval England*. Oxford, 1965.

Powicke, Michael, *Military Obligation in Medieval England*. Oxford, 1962.

Prall, Stuart E. (ed.). *The Puritan Revolution: A Documentary Revolution*. Garden City, N.Y., 1968.

Price, Richard. *Observations on the Importance of the American Revolution, and the Means of Making it a Benefit to the World*. London, 1784.

Raleigh, Sir Walter. *The Works of Sir Walter Raleigh*. 8 vols. Oxford, 1829.

Rauf, Abdul. *Islam: Creed and Worship*. Islamic Center, 1974.

Rawle, William. *A View of the Constitution*. Philadelphia, 1825.

Rawlinson, George. Five Great Monarchies of the Ancient Eastern World. 3 vols. New York, 1887.

Research Associates, Inc. A Preliminary Cost Analysis of Firearms Control Programs. Silver Spring, Md., 1968.

Reshtar, John S. The Soviet Polity. New York, 1978.

Rogers, H.C.B. Weapons of the British Soldier. London, 1960.

Rokeby, Matthew. Considerations on the Measures Carrying On with Respect to the British Colonies in North America. London, England, 1774.

Root, Elihu, The Military and Colonial Policy of the United States. Cambridge, 1916.

Rostovtzeff, M. Social and Economic History of the Roman Empire. Oxford, 1926.

Rutland, R. The Birth of the Bill of Rights, 1776-1791. University of North Carolina, 1955.

Sabine, George H. and Thomas L. Thorson. A History of Political Theory. Hillsdale, Il.; 4th ed., 1973.

Sallustus. *The War with Jugurtha*. Loeb Library, n.d.

Schelling, T.C. *Arms and Influence*. Yale Univ., 1966.

Schiff, Zeev. *A History of the Israeli Army*. translated and edited by Raphael Rothstein. San Francisco, 1974.

Scott, James Brown. *The Militia: Extracts from the Journals and Debates of the Federal Convention*. 64th Congress, 2d session, Senate Document 695. Washington, D.C., 1917.

Schwartz, Bernard. *The Roots of the Bill of Rights*. 5 vols. New York, 1980.

Shaw, John. *Red Army Resurgent*. Alexandria, Va., 1972.

Shea, William L. *The Virginia Militia in the Seventeenth Century*. Louisiana State University Press, 1983.

Sherrill, Robert. *The Saturday Night Special*. New York, 1973.

Shy, John. *A People Numerous and Armed*. Oxford, 1976.

_____. Toward Lexington. Princeton University, 1965.

Sidney, Algeron. Discourses Concerning Government. London, 1698.

Smith, Adam. Wealth of Nations [1776]. Modern Library edition, 1937.

Smith, David G. The Convention and the Constitution: The Political Ideas of the Founding Fathers. New York, 1965.

Smith, Hedding. The Russians. New York, 1976.

Smith, R.B. Carthage and the Carthaginians. New York, 1908.

Spotswood, Alexander. The Official Letters of Alexander Spotswood. ed. by R.A. Brock. 3 vols. Richmond, Va., 1882-85.

Stalin, Josef. Problems of Leninism. Moscow, Russia, n.d.

_____. Collected Works. Moscow, Russia, n.d. Understandably, this series has been suspended and may never be completed.

Stevens, Charles Ellis (ed.). Sources of the Constitution of the United States. New York, 1894.

Stille, Charles J. Major General Anthony Wayne and the Pennsylvania Line. Philadelphia, 1893.

Story, Joseph. Commentaries on the Constitution of the United States. 3 vols. Boston, Mass., 1833.

Strabo. Geography. Loeb Library edition, n.d.

Strauss, Leo. Thoughts on Machiavelli. Glencoe, IL, 1958.

Suhl, Yuri. The Fought Back: The Story of Jewish Resistance in Nazi Europe. New York, 1967.

Swank, J.M. History of the Manufacture of Iron in All Ages. Philadelphia, 1892.

_____. History of Iron and Steel. Philadelphia, 1896.

Tarassuk, Leonid and Claude Blair. The Complete Encyclopedia of Arms and Weapons. New York, 1986.

de Tocqueville, Alexis. *Democracy in America*. H.S. Commager, editor and translator. New York, 1947.

Toland, John. *The Militia Reform'd; or, An Easy Scheme of Furnishing England with a Constant Land-Force*. London, 1698.

Trenchard, John and Walter Moyle. *An Argument, Shewing, That a Standing Army is Inconsistent with a Free Government, and Absolutely Destructive to the Constitution of the English Monarchy*. London, 1697.

Tucker, St. George. *Blackstone's Commentaries*. Philadelphia, 1803.

Vaughn, Aldent (ed.). *Chronicles of the American Revolution*. New York, 1965.

Washington, George. *The Writings of George Washington*. edited by Jacob E. Cooke. 39 vols. Washington, 1931.

_____. *The Writings of George Washington*. ed. by Jared Sparks. Boston, 1858.

Werth, Alexandria. *Russia at War, 1941-1945*. New York, 1962.

Willard, Margaret (ed.). Letters on the American Revolution. Boston, 1925.

Williams, Louis. Israel Defense Forces: A People's army. Israel Defense Forces, Offices of the I. D. F. Spokesman, 1989.

Willison, George F. Saints and Strangers. New York, 1945.

Wright, Quincy, A Study of War. Chicago; 2d ed., 1965.

Xenophon. Cynegeticus. Yale University Press Loeb Library, n.d.

_____. Cryopedia. Yale University Press Loeb Library, n.d.

Zheltoy, A. S. V.I. Lenin and the Soviet Armed Forces. Moscow, Russia, 1967.

Zimmerman, Von. Militia Armies. H.O.Olson, trans. Washington, D.C., 1912.

Articles

American Academy of Political and Social Science. "The Effect on American Institutions of a Powerful Military and Naval Establishment," 16 *Annals* (July 1916) 157-72.

Ansell, S.T. "Legal and Historical Aspects of the Military," 26 *Yale Law Journal* (April 1917) 471-80.

Benenson, Mark. "A Controlled Look at Gun Controls," 14 *New York Law Forum* 4 (Winter 1968).

Botein, Stephen, "The Making of a 'respectable army' in Harvard Magazine (Sept-Oct 1978), pp. 32-37.

Bruce-Briggs, Barry. "The Great American Gun War," 45 *The Public Interest* (Fall 1976) 37-62.

Burin, Frederick S. "The Communist Doctrine of the Inevitability of War," 57 *American Political Science Review* (June 1963).

Cantrell, Charles L. "The Right to Bear Arms," 53 *Wisconsin Bar Bulletin* (1980) 21.

Caplan, David I. "Restoring the Balance: The Second Amendment

Revisited," 5 Fordham Urban Law Journal 1 (Fall 1976) 31-53.

_____. "The Second Amendment: Warsaw Ghetto," American Jewish Life (30 June 1978), p. 10.

_____. "The Right of the Individual to Bear Arms: A Recent Judicial Trend," 4 Detroit College of Law Review [1982].

_____. "The Warsaw Ghetto: Ten Handguns Against Tyranny," N.R.A. - I.L.A. Reports. 4 May 1978.

Chunn, Calvin E. "The Making of an Army," Sons of the American Revolution Magazine (Fall 1982) 10.

Clark, Howard. "John Fraser: Western Pennsylvania Frontiersman," Western Pennsylvania Historical Magazine (1955).

Cossaboon, H.R. "Gun Registration Would Create a EDP Monster," 14 Datamation 11, pp.155ff.

Cress, Lawrence Delbert. "An Armed Community: The Origins and Meaning of the Right to Bear Arms," 71 Journal of American History (June 1984) 22-42.

_____. "Radical Whiggery on the Role of the Military: Ideological Roots

of the American Revolutionary Militia," 40 *Journal of the History of Ideas* (Jan.-Mar. 1979) 43-60.

DeValinger, Leon (ed.). "Council of Safety Minutes, 1775-1776," 1 *Delaware History* (1946), pp.55-78.

Douglas, William O. "The Bill of Rights is Not Enough," 38 *New York Law Review* (1963).

Downey, Fairfax. "The Girls Behind the Guns," 88 *American Heritage* (1956-57), pp. 46-48.

Drinan, Robert, "Gun Control: The Good Outweighs the Evil." *Civil Liberties Review* (Aug.-Sept. 1976), 44ff.

"Effect on American Institutions of a Powerful Military and Naval Establishment," 16 *Annals of the American Academy of Political and Social Science* (July 1916) 152-72.

Emery, Lucilius. "The Constitutional Right to Keep and Bear Arms," 28 *Harvard Law Review* (1915) 473-77.

Feller, Peter B. and Karl L. Gotting. "The Second Amendment: A Second Look," 61 *Northwestern University Law Review* (1966) 46-70.

Forkosch, Morris D. "Who Are the 'People' in the Preamble to the Constitution?" 19 Case Western Reserve Law Review (1968) 644-712.

Frederick, Karl T. "Pistol Regulation: Its Principles and History," Firearms and laws Review (1975)

French, Allen, "Arms and Military Training of Our Colonizing Ancestors" in 68 Massachusetts Historical Society Proceedings (1941-44) 3-21.

Galbraith, John K. "After the Air Raids," 32 American Heritage (1981).

Graves, Will N. "How the Soviet Controls Guns," The American Rifleman, January 1967, pp.42-44 and February 1967, pp. 38-41.

_____. "U.S.S.R. Views Handguns as Sports Arms in Program," The American Rifleman, March 1970, pp.28-31.

_____. "Rifle Shooting in the U.S.S.R.," Shooting Times, March 1969, pp. 40-45.

_____. "The Training of a Soviet Pistol Shooter," The American Rifleman, January 1966, pp. 40-45.

Haight, George. "The Right to Keep and Bear Arms," 2 Bill of Rights Review (1941) 31-42.

Halsey, Ashley, Jr. "Mystery of the 'Rules'," American Rifleman (January 1973).

_____. "Ending the Mystery of the Rules," American Rifleman, August 1970.

Hardy, David and John Stompoly. "Of Arms and the Law," 51 Chicago-Kent Law Review (1974).

_____. "Firearms Ownership and Regulation: Tackling an Old Problem with Renewed Vigor," 20 William and Mary Law Review (1978) 235.

Harris, Richard. "If You Love Guns," New Yorker (20 April 1968).

Hays, Stuart R. "The Right to Bear Arms: A Study in Judicial Misadministration," 2 William and Mary Law Review (1960).

Heer, Eugen. "Swiss Shoot Holes in Anti-Gun Position," American Rifleman, November 1978.

Hoffman, Stanley. "Rousseau on War and Peace," 53 American Political Science Review (1963) 2 at 317-33.

Hofstadter, Richard. "America as a Gun Culture," *American Heritage* (October 1970).

Holbrook, Stephen C. "The Jurisprudence of the Second and Fourteenth Amendments," *4 George Mason Law Review* (1981) 1.

Jameson, Hugh. "Subsistence for the Middle States Militia," *30 Military Affairs* (1966) 121-34.

Karsten, Peter. "The American Democratic Citizen Soldier: Triumph or Disaster?" *30 Military Affairs* 1 at 34-40.

Kilmer, George L. "A Trained Military Reserve," *Century Magazine*. Vol.15 (New Series) 954.

Lawler, Philip F. "Just War Theory and Our Military Strategy," *Intercollegiate Review* (Fall 1983) 9-18.

Leach, Douglas E. "Military System of Plymouth Colony," *24 New England Quarterly* (September 1951) 342-64.

Levin, John. "The Right to Bear Arms: The Development of the American Experience," *Chicago-Kent Law Review* 148-67.

Levine, Ronald B. and David B. Saxe, "The Second Amendment: The Right to Bear Arms." 7 *Houston Law Review* (1969) 1.

London, Lena, "The Militia Fine, 1830-1860," 15 *Military Affairs* (1951) 133-42.

Lubkin, Yale Jay. "Report from Israel," *American Rifleman*, December 1972; January 1973; July 1974.

Lund, Nelson. "The Second Amendment, Political Liberty and the Right to Self-Preservation," 39 *Alabama Law Review* (1987) 103-130.

Mann, E.B. "The Mann Says," *Gun World* (December 1972).

Marina, William. "Militias, Standing Armies and the Second Amendment," *Law and Liberty* (Spring 1976).

Martin, Lewis, "The Origin of American Military Policy" *Military Affairs*, Summer 1958.

McClure, James A. "Firearms and Federalism," 7 *Idaho Law Review* (1970) 197-215.

McGuire, Frank G. "How Swiss Gun Laws Work," *American Rifleman* (December 1966), pp.44-45.

"Militarism and Militia," 114 *Scientific American* (new series; 15 april 1916) 144-46.

Miller, E.A. "Awesome Arguments Used by English Pamphleteers, 1697-1700, Concerning a Standing Army," 18 *Journal of Modern History* (December 1946) 306-13.

Mook, H.T. "Training Days in New England," *New England Quarterly*. (December 1938).

Morton, Louis. "The Origins of American Military Policy," 22 *Military Affairs* (1958) 75-82.

Munday, R.A.I. "Switzerland Without an Army," 1 *News Forum of the Institute for Research on Small Arms in International Security* 2 [1990].

Murphy, Orville T. "The American Revolutionary Army and the Concept of Levees en Masse" 23 *Military Affairs* (1959) 13-20.

Murray, Douglas. "Handguns, Gun Control Laws and Firearms Violence," 23 *Social Problems* (1975) 81.

Nasmyth, George. "Universal Military Service and Democracy," 7 Journal of Race Development (October 1916) 208-19.

Norval, Morgan. "Let's Revive the Militia," Conservative Digest (March 1982), pp.26-27.

Orloff, Nicholas W. "Hunting in the Soviet Union," The American Rifleman, March 1958, pp. 15-17 and 68; and April 1958, pp. 37-41.

Parker, Donald. "The Vostok Match Pistol," The American Rifleman, December 1966, pp. 24-25.

Peterson, Harold, "Military Equipment of Plymouth and Massachusetts Bay," 20 New England Quarterly, 1947.

Pipes, Richard. "Why the Soviet Union Thinks It Could Fight and Win a Nuclear War," Commentary (July 1977).

Radabaugh, Jack S. "The Militia of Colonial Massachusetts" 43 Military Affairs, (Spring 1954) 1-18.

"The Regulation of Firearms by the States," Wisconsin Legislative Reference Library Report 130 (1960).

Rohner, Ralph J. "The Right to Bear Arms: A Phenomenon of Constitutional History," *Catholic University Law Review* (1966) 53-84.

Scisco, L.D. "Evolution of the Militia in Maryland." 35 *Proceedings of Maryland Historical Society* (1940) 1.

Shallhope, Robert E. "The Ideological Origins of the Second Amendment," 69 *Journal of American History* (1982) 3.

Sharp, Morrison. "Leadership and Democracy in the Early New England System of Defense," 50 *American Historical Review* (1945) 244-60.

Sherman, William Tecumseh, "Sherman's Last Speech," *Century Magazine*, 20 (New Series; 1891), pp.189-92.

Shy, John W. "A New Look at the Colonial Militia," 3 *William and Mary Quarterly* (1963) 20 at 175-85.

Smith, Joseph. "Soviet Target Arms," *The American Rifleman*, June 1961, pp. 33-36.

Sprecher, Robert A. "The Lost Amendment," 51 *Journal of the American Bar Association* (June-July 1965) 6 and 7.

Todd, Frederick. "Our National Guard: An Introduction to its History," 5 *Military Affairs* (1941) 73-86.

Vigman, Fred K. "A 1745 Plan for a National Militia in Great Britain and America," (1945) 355-60.

Warren, Earl. "The Bill of Rights and the Military," 37 *New York Law Review* (1962).

Watson, R.L. "Congressional Attitudes Toward Military Preparedness," 34 *Mississippi Valley Historical Review* (March 1948) 611-36.

Weiss, Jonathan A. "A Reply to Advocates of Gun-Control Law," 52 *Journal of Urban Law* 3 (Winter 1974) 577-89.

Wheeler, E.M. "The Development and Organization of the North Carolina Militia." 41 *North Carolina Historical Review* (1964) 307-23.

Wright, John W. "The Rifle in the American Revolution," 29 *American Historical Review* (1924) 2.

Theses and Dissertations

Corwin, Lester G., II. "The Right to Keep and Bear Arms: America's Legacy Through the Common Law." Delaware Law School, 1975.

Monaghan, James. "Opposition to Involuntary Military Service in the United States," University of Pennsylvania, 1918.